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OBSTACLES TO DEMOCRATIZATION: THE ROLE OF CIVIL SOCIETIES

by

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OBSTACLES TO DEMOCRATIZATION: THE ROLE OF CIVIL SOCIETIES

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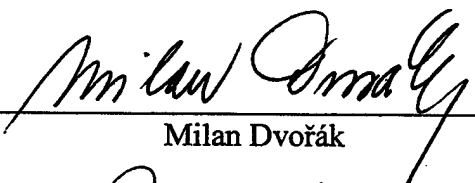
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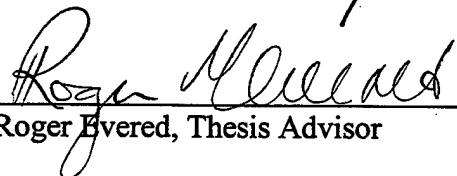
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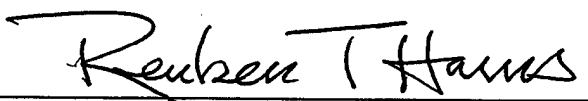
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ABSTRACT

Objective of this research is to develop a set of criteria that might be used to highlight the obstacles with which many nations have had to deal after they started to restore, or build democracy. The research is focused on historical conditions that shaped the development of civil societies in four countries (Czech Republic, Poland, Botswana and Kenya) before these countries decided to restore or build their democracies. The study of these four countries from different parts of the world shows essential obstacles that, to some extent, shaped the process of the transition and could be taken into account to predict its length, success, or failure. These pre-existing obstacles are sometimes overlooked or underestimated at the beginning of the transformation, and, consequently they could cause not only the failure of the democratic process, but also increasing tension in society.

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I. INTRODUCTION

The last century was a period when many nations fought for their independence and self-determination. Many newly-born and elected governments started a long-lasting, difficult, and sometimes very complicated process to restore or even transform their societies into those that could support one of the fundamental bases of democracy; civil society. There is a neither unique way nor simple guidelines regarding how to build or restore civil society because every society presents a slightly different and unique social organism. In this organism, the evolution of the human mind and morality are influenced and shaped by different political and historical events for many decades; in some cases, centuries. These historically created social pre-dispositions should not be overlooked because they can indicate possible social weaknesses or strengths in the evolution of civil society.

Moreover, the question of creating a civil society is usually mentioned and understood to be a part of "Peacebuilding" or "Building Democracy and Peace" programs and activities adopted by Western governments in post-conflict areas, especially with the end of "Peacekeeping" or "Peacemaking" operations. The concept of "Peacebuilding" is not yet fully defined and developed, so Western governments face many new challenges and problems with their increasingly direct involvement in the promotion or restoration or building of civil society in post-conflict areas.

In some cases, historically created social pre-dispositions, which should be taken into account for democratic transition, are simplified and overlooked. Therefore, Western assistance, without sensitive analysis of these pre-dispositions, has failed in its effort to restore or build civil society. Furthermore, western assistance can introduce tension and

insecurity into an already non-stable and fragile society. Consequently, with a better understanding of all possible social, cultural, historical and ethnological obstacles toward the development of institutions, we can provide guidelines for more sensitive assistance that would better respect all the dynamics of work a society during the critical transition period.

For the purposes of this research, I have decided to evaluate the most difficult and essential factors that could slow down or stop the successful transition in four countries: the Czech republic, Poland, Botswana and Kenya. In the aforementioned countries, essential factors will be further used to evaluate development of the democratic civil society in these four countries.

A. PRIMARY RESEARCH QUESTION

What are the major obstacles associated with the building or restoration of civil society in these four post-communist and post-colonial countries?

B. SECONDARY RESEARCH QUESTION

Is it possible to assess and rank criteria for a successful democratic transition in order to predict the success of democratization in post-conflict, or post-communist societies?

Chapters II through V comparatively describe the history and the development of civil societies in the Czech republic, Poland, Botswana, and Kenya. These chapters particularly focus on the social, political, and economic events that shape the process of the democratic transition and building of a democratic civil society. Chapter VI summarizes essential problems and divides them into criteria that can be used to assess the degree of democratic civil society development. Also, this chapter highlights obstacles (pre-conditions) that could slow down or stop such development. Chapter VII uses the criteria to evaluate the degree of civil society development in the Czech republic, Poland, Botswana, and Kenya. Chapter VIII evaluates countries according to pre-existing conditions with which these countries have had to deal at the beginning of the democratic transformation, or creation. Chapter IX summarizes my conclusions.

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II. CZECH REPUBLIC

A. BACKGROUND AND HISTORICAL INFORMATION

Anyone trying to point out or trace values of democratic practices in the history of Czechoslovakia will certainly encounter many questions relating to the interactions of individuals versus society. My intention is not to side with a political culturalist who might say, "... that the Czechs have a democratic tradition, and therefore they behave in certain way..., " or, with another approach presented by an anthropologist who might say, "...the Czechs believe they have a democratic tradition, and therefore they behave in certain way."¹ I would rather not limit myself to one category. My intention is to share the many different viewpoints and ideas presented by various historical authors to explain possible influences on the development of Czech society.

After almost 300 years of living under foreign rule, the first Czechoslovak republic completed its long-lasting struggle for independence and self-determination. The social structure of the young independent state was mostly formed as a result of the industrialization of the late nineteenth and early twentieth centuries, which spread a variety of social and political ideas among the people.

The society was comprised of a proletarian working class, an urban petty bourgeoisie and a peasantry. Therefore, "...Czech individualism differed from the robust individualism of the United States that had been supported by a class of independent farmers or individual entrepreneurs."²

¹ Stroehlein, A., "Czech and 'Czechness' ", p. 4, Book review, [<http://www.new-presence.cz/97/05/czechs&czechness.html>].

² Zinner, E. P., *Communist Strategy and Tactics in Czechoslovakia 1918-48*, pp. 7-8, Frederic E. Prager, 1963.

According to Zinner, it would not be accurate to describe the social and political orientation of Czechs as strongly collective because, as a nation, they

...looked for a sheltering environment. Implicit in their political philosophy was the concept of a strong-but just and benign-government which 'encourages the free development of individuals with varying natural and physical endowments'.³

It seems almost impossible to describe the development of democratic institutions and values without mentioning the influence of the first president, Tomáš G. Masaryk, who became the ideal leader of the young independent country. The main supporting pillars and slogans of his policy were, "moral obligations, self-discipline, ethical sympathy or... 'Truth prevails'; and 'Jesus, not Caesar'".⁴

Citizens of the Czechoslovak republic could group themselves within a wide variety of political parties without any restrictions. An Electoral Court that was responsible and competent enough to decide upon questions relating to the constitutionality of laws synchronized these political activities.⁵ Parties could be established to reflect different national and social groups as well as their interests or political goals.

Similarly, the state guaranteed the rights of citizens regardless of their origins, religions, languages and races and without imposing any restrictions. It created a secure environment for citizens, in which they could openly present their opinions and views. Even the rights of minorities were protected by the Constitution; therefore, individuals could freely associate on a religious, ethnic and racial basis. The state administrative and

³ Ibid., p. 8.

⁴ Ibid., p. 9.

judicial agencies reflected different origins and languages as well. If members of minority comprised more than 50 percent of the population in a county or region, its share in self-government was secured by the principle of proportional representation.⁶

On the other hand, as Zinner argues, the young democracy still lacked cohesiveness necessary to ensure its stability. The Czechs, who played a dominant part, even though they accounted for less than half of the total population, held most positions in government institutions and agencies. Furthermore, according to Zinner, ethnic fragmentation was the most important factor influencing the political evolution in Czechoslovakia.⁷

One of the important elements in the young democracy was the well-developed social-security system that guaranteed individuals assistance and support in the case of disaster or failure. It was one of the most comprehensive social-systems in the world, which went hand in hand with social justice supported by new land reforms in 1918.

Without any direct influence on the Communist party from Russia's Bolsheviks, the other parties were not openly hostile to the Communist party. Generally, there were no strong interventions against the Communist party, and the party was seen as part of a wide political spectrum. Having no direct experience with Bolshevik violence and with many social groups and parties continuing such terrorist and anti-humanitarian practices the police had no reason to attack or oppose Communist in Czechoslovakia. Moreover, President Beneš' policy was not directly anti-Soviet and he worked on the assumption

⁵ Bušek, V. and Spulber, N., *Czechoslovakia*, p. 43, Frederick A. Prager, 1956.

⁶ Ibid., p. 43.

that the Soviet Union could not be excluded from European affairs, thereby protecting peace in Europe. The Czechoslovak government also guaranteed asylum from Bolshevik terror to a very large number of refugees, and Prague, consequently, became an important White Russian political and intellectual center.⁸

This, at least, was the situation prior to the outbreak of WW II. However, the break-up of the Czechoslovak Republic, caused by the Munich agreements of 1938, disrupted the democratic development of the country and also led to the complete occupation of Czechoslovakia in 1939. The German occupation destroyed all political life as well as all new democratic values and practices. The puppet government, supported by Germany's totalitarian regime caused the liquidation of "Masaryk's democracy." This continued through the end of the Second World War.⁹

B. INSTALLATION OF COMMUNIST POWER IN 1948 AND ITS INFLUENCE ON CIVIL SOCIETY

1. Infiltration and Penetration of NGO, Movements and Democratic Parties

Before the Coup

Following the end of the Second World War, the Communists paid close attention to the influence of all organizations and movements-i.e. the Youth Movement, the War Veteran's Union, the Union of Liberated Political Prisoners (who survived the Nazi concentration camps), the Sokol Gymnastic Organization, etc. Over time, the

⁷ Zinner E. P., op. cit., pp. 10-11.

⁸ Ibid., p. 20.

⁹ Ibid., pp. 20-23.

Communists managed to either gain control of these organizations or at least to weaken them to such an extent as to render them practically harmless.¹⁰

The Sokol Gymnastic Organization is an excellent example of the "slow communist penetration" of non-governmental organizations. Because this gymnastic patriotic organization refused to assimilate itself into the centralized communist body, the Communists created a similar physical organization entitled "Federated Workers' Physical Training Organization (F.D.T.J.)."

After a short period of time, youths from F.D.T.J. were directed into the "Sokol Organization" and slowly penetrated this organization by becoming the most "active and politically trustworthy members." These infiltrators provided the important base for a future takeover by the Communists.¹¹

Another example of indirect communist infiltration occurred among people who had suffered in concentration camps and prisons due to their defense of their motherland. Because of their high moral credibility as freedom fighters, other members of non-communist parties could not overlook these people after their return to active political life. In some cases, ties to formerly communist fighters and prisoners influenced and caused unpredictable changes in the political orientation of individuals. There is no exact statistical analysis that from which to draw precise conclusions; nevertheless, a few

¹⁰ Josten, J., *Oh, My Country*, p. 62, London: Latimer House Ltd, 1949.

¹¹ Kent, G. F., *The Communist Conquest of Czechoslovakia*, p. 149, Master Thesis, Northwestern University, Evanston, Illinois, December 1955.

examples could show how the Communists benefited from their "fighting camaradeine with individuals of other political faith..."¹²

For instance, an example from a Social Democratic Party member who placed himself in the left oriented wing the Social Democratic Party. František Tymeš explained his final political turn as "the solemn promise of Social Democrats and Communist[s] in German concentration camp[s] (where Tymeš had spent the war) 'never again to betray each other'." ¹³

Among the population, communists were not seen as some kind of alien power. Rather, they were seen as

...a native popular force that is capable of engaging the imagination of the most dynamic portion of population, attracting fierce loyalties, imbuing people with purpose, and providing them with the best leadership.¹⁴

Their power was absolutely underestimated by democratic parties and leaders.

In February 1948, the Communists prepared their final siege against non-Communist political and non-political organizations in Czechoslovakia. On the night of February 23rd, the Central Action Committee was elected in order to coordinate the Communist party's final steps in their coup. These committees consisted of people free from "reactionaries' influence" and with no ties to the pre-war democratic regime.

The true power of these committees was in their structure. These committees had already become parts of organizations, schools, clubs, groups, etc., and therefore, almost overnight, took control over all spectrums of governmental and non-governmental

¹² Zinner, op. cit., p. 159.

¹³ Zinner, loc. cit.

¹⁴ Ibid., p. 230.

organizations in Czechoslovakia. By February 24th, the Communists became absolute masters of the whole country. The factory militias and the infiltrated police which represented physical power in the country assisted in the installation of the Communists and backed up the activities of the action committees.

The ease with which the Communists carried out the coup was due to two main factors. While the Communist party played its formal role in the National Front Coalition, it simultaneously continued to improve its para-military preparations. Moreover, members of the Communist party slowly infiltrated all organizations, democratic parties, police forces, and the army in order to prepare to seize a power in case the parliamentary method should fail the Communists' purposes. Democratic parties could not prepare themselves for a possible clash because such activities on their part could be labeled "anti-state behavior." Their reaction provides the excuse for an early putsch in which they were not able to oppose already influenced and manipulated police or factory militias.

The second factor, which allowed the Communists to carry out the coup, was that President Beneš asked the Democrats for patience and requested they concentrate their efforts on their only real weapon; early democratic elections. Beneš still hoped to reach a compromise with the Communists in the future. This fact might also explain the passivity of democratic citizens in the face of the coup.

On the other hand, such an analysis suggests that democratic forces in Czechoslovakia completely underestimated the Communists' influence. They operated and behaved as if they were within a stable parliamentary system, without boldly pointing out issues on which they opposed and disagreed with the Communists.¹⁵ Moreover,

¹⁵ Zinner, loc. cit.

democratic parties did not see that the overall collapse of old political and social orders and structures thereby created optimum conditions for the Communists.¹⁶ Almost overnight, all organizations, clubs, movements and even churches were isolated and completely in the hands of the Communist administrators. The Communist government could not allow the separation of government from the population because this could diminish the Communists' influence on all elements of society. However this totalitarian environment, as Růžicka argued,

...did not leave any space for psychological integrity that flows from the continuity of psychological development, the durability of social ties, the sensibility of human dealings, stable horizon for home, faith in human relations, faith in oneself, and faith in the basic values of the cultural traditions, with which we are linked.¹⁷

Consequently, most of the people identified themselves with groups that were clearly defined psychologically, but not sociologically or politically. A majority of the people wanted to separate themselves from structures that were manipulated by Communists, but on the other hand, they could not overcome the human need to belong and identify themselves with social and interest groups, or organizations that give people chances to cooperate with, and take part in, civic society.¹⁸ Václav Havel also pointed out,

... if the public life is nihilized, the private life is distorted and ultimately nihilized too.... The web of direct and indirect manipulation is a straitjacket that binds life and necessarily limits the ways it can appear to itself and structure itself. And so it languishes, declines, wastes away. It is cheapened and leveled. It becomes pseudo-life.¹⁹

¹⁶ Zinner, loc. cit.

¹⁷ Růžicka, J., "We Have Not Mourned Communism", p. 3, [<http://www.new-presence.cz>]. February 1998.

¹⁸ Růžicka, loc. cit.

Moreover, he argues that Czechs dislike a standardized life, the kind of life that creates citizens with no wills of their own. "It begets undifferentiated people with undifferentiated stories. It is a mass-producer of banality." ²⁰

Following the Communist coup in 1948, the centralized state had the power to influence all activities among the population and to standardize citizens for more than forty years. Freedom of speech, as well as individualism, was suppressed in order to successfully install and maintain the Centralized Communist State.

2. The Role of Political Trials

The most important impact of the communist takeover was through the political trials. "The trials affected the entire community, impinging on all spheres of life. They were instrumental in shaping society and its outlook; they left a deep imprint on the future."²¹ In the beginning, the political trials served as a "Trojan Horse" aimed at the remaining democratic organizations and parties. If the penetration or infiltration of the "stubborn democratic party or organization" could not succeed, then the Communists tried eliminating leaders or other parties' spokesmen who were said to have cooperated in cooperation with the Nazi regime. Nazi prisoners were used as key witnesses in the trials, which were well orchestrated by what were already the Communist-controlled police.

One of these witnesses was the Secretary General of the National Socialist Party, Vladimír Krajina, who the Communists accused of having informed the Nazi "Reichprotektor," K. H. Frank, about the secrets of the Czech underground resistance

¹⁹ Havel, V., *Open Letters, Selected Writings, 1965-1990*, p. 338, Alfred A. Knopf, New York, 1991.

²⁰ *Ibid.*, p. 340.

movement during the war. Krajina, however, clearly proved his innocence before a special public commission. The fraudulent methods of police officers became evident during the proceedings.²² Communists' expectations from this trial were achieved. After a couple of months of Communist propaganda in the media, the National Socialist Party was discredited in the eyes of the public; in addition, the party was rendered enable to openly compete with the Communist party.

The full bloom of political trials came a bit later with the first Five-Year Plan, prepared by the "Communist Centre." This economic plan did not reflect the previous destruction of small manufacturers, nor the replacement and devastation of the skilled management in industry. New management was chosen more according to "loyalty and trustworthiness" toward the new regime than by real economical and management skills. Of course, these structural changes created economic malfunctions and collapses across the board. The "Centre" could not blame itself for these economic problems; however, it needed to find someone to blame and, by so doing, demonstrate its responsibility to the public. The consequent process of scapegoating personification did not take into account any differences between non-communists and communists. Sometimes, "active, moral and loyal communists" to the new communist regime and its ideals were swallowed by its own "children" as members of the younger generation of more active communists anxiously sought their elders' places and positions.

Fueled by the hearings in court and colored by communist propaganda, the media pointed out the most dangerous elements in society with a special focus on those who had

²¹ Pelikán, J., *The Czechoslovak Political Trials 1950-1954, The Suppressed Report of the Dubček Government's Commission of Inquiry*, 1968, p. 140, Stanford University Press, 1971.

ties to aggressors and imperialists around the world. To overcome a lack of evidence, the secret police created and then pointed to instances of sabotage and espionage in the economy in order to force accused leaders to affirm their guilt. People were brutally tortured and manipulated into making their "confessions." According to the Report from 1968, that summarized the scope of the communist repressions and trials,

The manipulation was total: Security officers manipulated the prisoners and also the judiciary and the political officials, the political leadership and Security manipulated each other, the political leadership manipulated the judiciary and the prisoners, while all three-political leadership, Security and judiciary-manipulated the population.²³

The main purpose of these trials was achieved; the population, influenced by the trials broadcast by the media, believed that all these malfunctions were caused by "unmasked imperialists and western spies" sabotaging the economy. Moreover, the trials proved to people that, even among the top officials of the Communist party, there could be many "camouflaged dangerous elements" waiting to harm the new fragile Communist society. Police activities designed to identify these elements led to strange chain reactions in which the Communist Party discredited or executed its own political and economic leadership.

To illustrate the scope of the political trials, by 1951, at the beginning of the Communist rule in Czechoslovakia, 2,977 people were arrested individually, and 3,112 people were arrested in groups by the State Security Council. Additionally, at that time, the largest groups under arrest consisted of 3,162 office workers and 5,962 industrial workers. The smaller part of the arrested population consisted of 1,800 farmers, 544

²² Řipka, H., *Czechoslovakia Enslaved*, pp. 156-158, London: V. Golancz, Ltd., 1950.

²³ Pelikán, op. cit., p. 140.

kulaks (farmers with medium-sized holdings) and 32 big landowners and aristocrats. Moreover, the number of death sentences truly highlights the situation during the early years of the Communist state and its influence on individuals. Between October 1948 and the end of 1952, the State Court imposed 233 death sentences, of which 178 were carried out.²⁴

These numbers are very high if we compare them with the total population in 1948. According to data obtained from the State Statistical Office, there were 8,271,700 males and females between the productive ages of 15 and 64.²⁵ This means that in the mid-1950s, approximately one out of every 750 males and females in the productive age group was accused. (Of course, this is just a crude approximation and does not take into account any other statistical assumptions about the distribution of the population that could otherwise influence the ratio).

Another effect of these trials was clearly visible in the economy and government. The "fear of witches" caused many communist leaders, managers and officials to be absolutely impotent to make any decision without asking the "Centre" for advice and possible solutions. They were afraid to make any decisions, because if they failed, the party would point them out as western traitors and collaborators. Political trials became part of the everyday political reality. The trials directly affected not only the accused, but also their family members who were usually labeled as "unreliable" for lucrative jobs in administrative positions as well as for higher levels of education. The trials, therefore, left a trail of victims; not only those discriminatorily sentenced or otherwise penalized, but

²⁴ Ibid., p. 56.

²⁵ Bušek, op. cit., p. 24.

also their friends and relations who became subject to persecution.²⁶ The last wave of trials, which took place under an umbrella of political "normalization," started after August 1968 due to the Warsaw pact, which intervened in Czechoslovakia in order to stop the popular political and intellectual movement referred as "Prague Spring." Communist bureaucrats in Berlin, Moscow and Warsaw saw that any different explanation of socialism would diminish their influence on people; they were afraid that the virus of "a different socialism" would pollute the people in Eastern Europe and Communist organizations in the West. The communist leadership saw that without structural changes in the economy, and consequently without more support from the population, the communist regime would loose its position in the country. It was evident that the virus of "a different socialism" would have infected the people in Eastern Europe and communist organizations in the West. Additionally, because of passivity among citizens, as well as economic dysfunctions, I would say, Czechoslovakia slowly approached an economic crisis in 1968. Interestingly, more and more voices for change came from the Communist party's members, members of the Communist party who wanted to change the totalitarian style of work.

According to Jiří Pelikán, voices for more change were the main reason why repression was used against members of the Communist party; "that was why it had to be punished, demoralized and reduced to an organism which can not exist without the presence of the Soviet Army and the supervision of the secret police...."²⁷ The overall scope of this repression did not have any parallel in Czechoslovakian history. At the first

²⁶ Pelikán, op. cit., p. 146.

outset, almost 500,000 Communists were expelled from the Party.²⁸ Anybody who had a different opinion on the "normalization policy" was blackmailed and transferred into a less lucrative job. The consequences of such punishment in this sphere, in which government was the absolute guarantor of employment, defies our ability to comprehend.

Even children indirectly suffered when the communist "normalizers" did not allow them free access to schools and universities. Sometimes, young and talented people unconsciously became "enemies of socialism" solely because of who their parents were.

The trials never reached the level of brutality unleashed in the early of 1950's when, for example,

the number of death sentences pending was so great that the Ministry of Justice gave the following reason to delay in bringing cases to court. 'Earlier convictions in all these cases are impossible, because we should have sentences accumulating in too short a space of time'.²⁹

Nevertheless, because the new "normalization leadership" was not able to garner popular support for change, its primary (political leadership) task was to achieve the absolute obedience of its citizens. According to Václav Havel,

In societies under the post-totalitarian system, all political life in the traditional sense has been eliminated.... The gap that results is filled by ideological ritual. In such a situation, people's interest in political matters naturally dwindles.... Individuals need not believe all mystification, but they must behave as though they did.... They must live within a lie.³⁰

²⁷ Pelikán, J., *Socialist Opposition in Eastern Europe*, p. 109, St. Martin's Press, New York, 1976.

²⁸ Ibid., p. 109.

²⁹ Pelikán, op. cit., p. 146.

³⁰ Havel, V., *The Power of the Powerless: Citizens Against the State in the Central-Eastern Europe*, pp. 49 and 31, Armark, N.Y. M.E.Sharpe, 1985.

The only place where the "normalization" leadership allowed any kind of concessions was within the discussions regarding the situation in the Czechoslovak economic sphere. In trying to sum up these concessions I believe they reveal a sad irony:

...What else do you want? We guarantee your wages so that you can feed and clothe yourselves properly. You can even buy a car or a cottage. Yet we know that you are shirking at work and some of you are stealing state property. We tolerate all this provided you do not meddle in politics.³¹

There is no doubt that these economic concessions bought silence from the population. Nevertheless, the young population could not remain totally silent. Many feared that the concept of "socialism with a human face" was going to be forgotten and that Czechoslovakia would again become one of the permanent satellites of the Soviet Union. In August 1969, one year after the intervention, demonstrations took place in all the large cities around Czechoslovakia. The communist police, army and militias had clear instructions on how to handle emerging demonstrators. "Everything that might risk any active resistance on the streets, or anything like that, should be destroyed at any costs [translation mine]...." ³²

Communist propaganda was used to label demonstrators "criminal elements, groups of gypsies that disturb the silence or civic security, groups that want to organize chaos and crimes."³³ The same propaganda warned citizens: We call all citizens of Prague, do not allow our city to be destroyed; we call all citizens against hysteria, destruction, and against all anti-social elements. According to Oldřich Tůma, the Czech historian and author of the book *August 69*, Communist propaganda played a large role in

³¹ Pelikán, op. cit., p. 110, St. Martin's Press, New York, 1976.

³² Speech of President Husák, "Meeting with The Headquarter of Militias - Rozbijeme je nemilosrdně," Respekt 34, p. 2, July 1999.

blackmailing these activities into non-existence and causing most of the people to remain silent and passive.³⁴

Overall, the political trials fed a continuing sense of insecurity. Insecurity imposed by a strong centralized Communist state created an environment in which people believed that any kind of social order was something artificially created by Communist institutions and imposed upon the people. They felt that their individual demands and wishes for free choice, rested entirely in the hands of the Communist institutions. People were afraid to involve themselves in public activities because they felt that one day they could become subject to manipulation, and then repression. Moreover, the fear of manipulation went so deep that people tended to see anybody who appealed to their civic values as a possible manipulator or moralizer and "wanting to put something into their heads." Many did not think about civic values themselves because they were first preoccupied with trying to figure why civic values were even being raised.

In human relationships, distrust instead of trust was encouraged and indeed practiced; this gave rise to tensions in society, stunted its growth, created conditions for non-stop sequence of political trials and prevented the bulk of the population from making a useful contribution to socialism. In contributing to the loss of values in society the trials diminished in particular the value of human life, and also such values as honor, responsibility, especially political responsibility, comradeship, friendship, justice....³⁵

In this insecure environment individuals tended to distance themselves from public activities and did not openly present their opinions and ideas. According to Jiří

³³ Respect, loc. cit.

³⁴ Respekt loc. cit.

³⁵ Pelikán, op. cit., p. 146.

Růžička³⁶, for most of the people, the only feasible approach to living in this environment was to distance themselves from public activities and escape into the small world of an active sport, as well as into their cottages. "Escapism became a way of everyday living for the majority of people who were not able to follow organizations, groups and entities more or less influenced by communist ideology."³⁷

People accepted civic passivity as a form of protection against possible communist manipulation and its harmful consequences that otherwise might affect them, as well as their future generations. Nevertheless, the centralized power of state never absolutely broke down potentialities among the population. As Václav Havel wrote,

...society is a very mysterious animal with many faces and hidden potentialities, and that it's extremely short sighted to believe that the face society happens to be presenting to you at a given moment is its only true face. None of us know all potentialities that slumber in the spirit of the population, or all the ways in which that population can surprise when there is the right interplay of moments....³⁸

This right interplay of moments, known as the Velvet Revolution, came in 1989, when Communist power that had been installed overnight, also collapsed almost overnight.

3. The Communist Leadership, Elite and Corruption

During the first two decades after the 1948 coup, the Party started to organize and carefully select a new leadership. It not only gathered detailed background information about underground activities, but also scrutinized individuals' social origins which had to

³⁶ The author, Jiří Růžička, is President of the Association of Clinical Psychologists of Bohemia, Moravia and Silesia, and the director of the ESET clinics.

³⁷ Růžička, op. cit., p. 4.

³⁸ Havel, V., *Disturbing The Peace*, p. 109, Vintage Books, A Division of Random House, Inc., 1990.

be considered before individuals could become a member of apparatus or hold any important position in the state or its economic institutions. This screening served as "an important sieve" for ensuring that future party leaders were recruited from working class families without a white-collar background. These carefully selected individuals, or "cadres," were designated for important places in the communist leadership.

These members of the Communist party represented an ideological spine for Communist influence in the State. Such controlled selection practices were designated to eliminate all "party aliens" who might otherwise diminish the strong unity of the Communist leadership and its influence over the population. Nevertheless, in the beginning, the Party was not able to overcome the shortage of qualified cadres. Therefore, in some places and under some watchful eyes, people with different social backgrounds were tolerated, and they were allowed to stay in their previous positions in the state and economic institutions.

These individuals did not hold their positions for a very long time. By the end of the decade, the policy on cadres was changed. Before anyone could be nominated into key position, he/she had to submit information about his/her education, political activities, past occupations, even to include information about family members and parents. Another important component of this background information was a short description of "working morale, loyalty and attitude toward the communist ideals." The Party was the only institution that could give final approval on a candidate.

Individuals who wanted to hold such positions and eventually become members of the "elite" had to pass the process of selection, education and evaluation of cadres, or

overall, "cadre politics." Cadre politics were considered an important part of the overall political strategy of the Communist party. For those who already finished their education in universities and postgraduate schools and wanted to be promoted to higher positions in the state administration, the communist Centre established the so-called "evening study of Marxism-Leninism." The cadres were placed in all levels of the state administration and mass organizations, as well as in schools, hospitals, theaters, universities, state enterprises, the police, the army etc.

In the economy, cadres usually created parallel structures with existing management in order to keep an eye on productivity and gauge morale. " They must see that Party's economic goals are fulfilled and that the workers' morale is maintained at a high level."³⁹ To fulfill these objectives, it was essential to place communists into key positions as directors or deputies of nationalized industrial enterprises. Even before the coup in 1947, according to Bušek, "Members of the Party held the post of director in 35 percent of the individual enterprises. They served as deputy directors in the remaining ones, and had almost monopolistic control over sections and departments responsible for wages and personnel."⁴⁰ There is no doubt that "double decision-making" was not good for the economy because the primary task was not to ensure efficiency of production but to accommodate and maintain a Party presence inside every sector. Additionally, some of the cadres held more than one position in the apparatus. They could actively work, for example, on an enterprise's communist committee and, at the same time, be involved in the activities of an organization or club "supervised" by the communist party. This

³⁹ Bušek and Spulber, op. cit., p. 72.

⁴⁰ Zinner, op. cit., p. 157.

created an environment in which the government did not distance itself from organizations, groups and clubs. There was no separation of politics from business, work from leisure, or public from private spheres. In such an environment individuals do not have any space in which to "get along regardless of their differences." On the other hand, this kind of environment also did not give any room to bureaucrats (among others) to be impartial.⁴¹ The Communist Centre understood that involvement in more than one organization would provide cadres with good overviews, contacts and connections around their area of responsibility. Therefore, they usually reshuffled the cadres in order to break up possible client patron ties which might well develop over time. Now and then, the real reason for such reshuffling was publicly explained as "pumping new blood into the party" or the party was sent to be "bringing in the outsider's point of view, or introducing experiences from the real field."

To sum up the communist leadership, I would say there were three basic levels of leadership: (1) the elite who really believed in the idea of communism, (2) the elite that created a spine of the party, cadres that viewed being communist as political capital ensuring them better access to resources and state welfare (after these were the people who played an important role in the economic sphere and society after the revolution),⁴² and (3) Communists who silently paid their dues as members, because their membership could be written into the personal papers of their children and could therefore gain the access to the common wealth too.

⁴¹ Simons, A., "Democratization and Ethnic Conflict: The Kin Connection, Nations and Nationalism," p.4, ASEN, 1997.

⁴² Immediately after the revolution, these elite, so called "old structures" or nomenclatura, became the best-equipped part of society to adapt to new conditions and to turn themselves into the "new capitalist class."

To fully elaborate on the communist leadership and its influence on society without mentioning corruption is virtually impossible, because corruption was a by-product of the economic and political environment that was present at all levels of society. A couple of years after the 1948 coup, there was hardly a single sphere of political, social and economic life untouched by corruption. Nevertheless, "one must make a fundamental distinction between corruption as a social phenomenon and corruption as a criminal phenomenon."⁴³ One of the biggest reasons for corruption was that the centralized communist state was the primary guarantor of wealth and only the state was responsible for the distribution of funds. Therefore, bureaucratic structures were created in order to bear this task, which normally should have belonged to the classical market.⁴⁴

A second cause of corruption was the ongoing lack of proportionality between supply and demand over almost forty years. Because demand exceeded supply in all kinds of consumer goods, corruption occurred on the demand side. It not only affected economic leaders who were responsible for obtaining resources for maintaining everyday production, but also common people who wanted to obtain goods that were in short supply. Ongoing demand not only created long lines for some "unusual" goods but also a

⁴³ Kranitz, M., "Corruption in Hungary", The New Presence, p. 2, [<http://new-presence.cz/99/02.html>]. February 1999.

Marian Kranitz is head of the Criminal Law Department at the Law and State Administration Institute of Lajos Kosuth University and Deputy head of the National Institute for Criminology. He argued that some attributes and reasons for corruption are similar in all former socialist countries; corruption was presented as social phenomenon.

⁴⁴ Kranitz, loc. cit.

"cream of society" class of people who could influence the distribution of these scarce articles.

Overall, as Vrba wrote, "...the well-developed Czech sense of comfortable survival, a sense of improvisation to create the coziest life possible, filled the vacuum between the individual and state. This gap was filled with something that bore a slight resemblance to a civil society; a self help, self-regulating, and perverse form of a civil society." ⁴⁵

C. RESTORATION OF CIVIL SOCIETY AFTER THE VELVET REVOLUTION

On November 17, 1989, students went to the streets to commemorate the fiftieth anniversary of the death of Jan Opletal. This date reminded people of the occupation of Czechoslovakia in 1939, when Adolf Hitler ordered revenge for the Czech resistance against the Nazis' occupation. During this day in 1939, nine students were executed and more than 1,200 students were transported to the Sachsenhausen concentration camp. Moreover, all universities were closed down and the teaching staff was fired. According to Wheathon and Kavan,⁴⁶ this date is known as "...another step in the attempted denationalization and ultimate annihilation of Czech culture."⁴⁷ Among the people, Opletal's name did not just evoke the era of Nazi occupation and its consequences for the intelligentsia of Czechoslovakia, but mention of him also reminded people that the totalitarian communist regime suppressed the democratization effort, known as the Prague Spring period after August 1968. And this regime still existed.

⁴⁵ Vrba, Tomáš, "The Trade-offs of a Cozy Life", p. 4, [<http://www.new-presence.cz/98/04/vrba/htm>]. April 1998. Author is an editor in Chief of The New Presence newspaper.

⁴⁶ Wheathon, B. and Kavan, Z., *The Velvet Revolution, Czechoslovakia, 1988-1999*, p. 41, Westview press, Inc., 1992.

The number of people involved in this November 17 demonstration increased dramatically through the afternoon. At the First of May Bridge⁴⁸, the number of demonstrators was almost 55,000. As the flow of demonstrators grew, slogans and chanting expressed more explicit demands of the communist power; for example, "Free Elections," or, "Abolish the monopoly of the Communist party."⁴⁹ At the National Avenue in Prague, the demonstrators demanding free passage to Wenceslav's Square⁵⁰ were stopped by the security forces. Looking into the faces of the security force members, it was clear to the demonstrators that there was not a big difference in their average ages. Nevertheless, according to Wheathon and Kavan,

...the police were confronted by thousands of unknown, young faces who had started to come to terms with their fear. This realization also removed any possibility of invoking the standard explanation to protest actions, namely, 'manipulation by Western agencies'.⁵¹

The police called on the demonstrators to disperse, whereas the demonstrators insisted on free access to the square and to the Statue of Saint Vaclav.⁵² The tension continued for a couple of hours and the police forces were visibly irritated by their impotence in the face of the demonstrators.

The police recognized that they had no authority to disperse the demonstrators nonviolently; therefore, they started beating the demonstrators. The brutality of the police

⁴⁷ Wheathon and Kavan, loc.cit.

⁴⁸ A bridge located in Prague.

⁴⁹ Ibid., p. 43.

⁵⁰ The center of Prague

⁵¹ Ibid., p. 41.

⁵² The statue is located on top of Wenceslav's Square.

forces, reinforced by small units of Red Berets,⁵³ left behind 593 injured people, though, the exact numbers of injured were unclear and there was a lot of manipulation and speculations about the number of dead students caused by the police forces.⁵⁴

Reactions from the public were enormous. After a couple of days, the Communist regime simply collapsed under the pressure of demonstrations calling for investigations and changes in policy. This also marked the first time since 1968 that people had accepted civic activity after intervention by "allied forces."

As Růžička describes it a couple of months after the Velvet Revolution, people found themselves in an absolutely different and new societal environment. They left behind the social totalitarian or, better yet, the frozen post-totalitarian regime,⁵⁵ and moved towards capitalism. They then found themselves in a different environment full of Western consumerism and goods. People found themselves enjoying new books and the ability to travel freely. On the other hand, they also began witnessing many bitter political struggles and scandals brought to light in the media. All of these changes required us to reorient ourselves in our new environment.

In this new environment, individuals sought to find help, support and answers in places like churches, and other institutions created by the political system. Individuals

⁵³ Red Berets were military units of parachute regiments trained in dealing with antiterrorist actions.

⁵⁴ Wheathon, and Kavan, op. cit., pp. 46-48.

⁵⁵ Linnz and Stephan pointed out that they use "frozen" to capture the notion that the regime was neither in the early months of post-totalitarian or evolving toward a possible out-of-type change from mature post totalitarian (as in Hungary in the late 1980s'.) "Czechoslovakia was a frozen, post-totalitarian-by-decay regime from 1968 to 1989 and in some small areas was post-totalitarian by societal conquest."

Linnz, Juan J. and Stephan Alfred, *Problems of Democratic TRANSITIONS AND CONSOLIDATION, Southern Europe, South America, and Post-Communist Europe*, p. 319, The Johns Hopkins University Press, Baltimore and London, 1996.

freely associated in different types of organizations, clubs, community groups, civic organizations, and foundations in order to fulfill their needs, interests, and desires, and in order to choose their own political identities. Moreover, people who have associated in such groups were able to accomplish things in a better manner than they would have as single individuals. This free association of people is best encapsulated by the concept of civil society as described by Václav Havel. He stated that civil society could be achieved by strengthening three basic pillars --association, decentralization of the state and delegation of the exercise of some of the state's institutions to relatively independent entities. Restoring these pillars is indeed the basic goal for recovering a democratic civil society in the Czech republic.⁵⁶

As Růžicka points out, Catholicism was not able to bear this task because it "...seems to like a closed, moralizing sect, which behaves like a society of good children who are not being allowed to mature out of fear they would start sinning."⁵⁷ Similarly, in the process of seeking voters political parties failed to find transparent and clear means to attract citizens and to fulfill their political desires. Moreover, Kavan and Wheathon argue that the transition to democracy is not only concerned with the rule of law, or the development of formal democratic structures, but also with developing political culture to encourage a democratic mind-set. They write,

It is important that the multiplicity of interests connected with the different social categories into which each individual falls should be represented through citizens' initiatives as well as political organizations, so as to

⁵⁶ Havel, V., "A Speech by Václav Havel, President of the Czech Republic, on the Occasion of 'Václav Havel's Civil Society Symposium'," p. 2, Macalester College, Minneapolis/St. Paul, USA, [http://www.hrad.cz/cgi-bin/toASCII/president/Havel/speeches/index_uk.html]. April 26, 1999.

⁵⁷ Růžicka, op. cit., pp. 3-4.

ensure that no one is disenfranchised. The idea that these interests are adequately represented in the framework of the state is faulty.⁵⁸

As Sean Hanley points out, the idea of civil society can be traced back to the 17th century philosopher, Thomas Hobbes. But in the modern sense, ideas about civil society were more developed by the late 18th to early 19th century philosophers, for example, Adam Fergusson and Alexis De Tocqueville. Revived ideas about civil society and its tasks can be traced to the 1970's, when Czechoslovak dissidents considered the creation of civil society an important civic base for undermining the one-party communist regime. They presented this concept in order to unify the citizens' interest in political changes in the totalitarian regime.⁵⁹

The Citizens Forum⁶⁰, born two days after the demonstrations on November 19, 1989, is seen as an important step in returning active citizenship to Czechoslovakia and it is also viewed as a milestone in the restoration of the civil society. This Forum was established only in direct reaction to the police interventions against peacefully demonstrating citizens, but also to point out the decadence of the democratic dialogue during the last twenty years in Czechoslovakia. The Citizens Forum became an important movement that was able to mobilize citizens' support around the entire country within several days. It, de facto, brought about the collapse of the communist regime that could

⁵⁸ Wheathon and Kavan, op. cit., p. 43.

⁵⁹ Hanley, Sean, "A Bad Idea", p. 1, [<http://www.new-presence.cz/99/04/hanley.html>]. April 1999.

⁶⁰ The Citizens Forum was established on November 19, 1989, with a wide and open participation of Charter 77, the Club of Independent Intelligencia, the Movement for Civic Freedom, the Independent students, the Artforum, the Czechoslovak Democratic Initiative, the Committee for the Defense of the Unjustly Prosecuted, the Independent Peace Association, the Open Dialogue, the Czechoslovak Pen Club and others. During this meeting, members of these organizations expressed open demands of behalf on Czechoslovakia's society.

not control the massive crowds of people calling for democratic change in Czechoslovakia. The final capitulation of the communist leaders occurred on December 22, when the dictatorship of the Communist party openly apologized to the "...people of Czechoslovakia for 'the mistakes and injustice'".⁶¹

Nevertheless, over the next few years of the democratic transition, the new democratically elected political leaders saw the concept and importance of the civil society in a different light. Voices calling for an increase in civic activity and active citizenship in 1989 were ignored; and the new leadership viewed the further development and promotion of democratic civil society as

...a disguised attack on liberal institutions.... Advocates of a strong 'civil society, they fear, really want to replace elected political parties and politicians with behind-the-scenes bargaining between the interest groups.⁶²

They saw a potential danger in the interest groups and trade unions that more or less survived in fact from the days of the communist regime. Therefore, according to Hanley, more than 70 percent of the funding for the civil sector was provided from the Czech state and foreign sources. Only a small amount of funding came from society itself. Moreover, a study done by the Czech Academy of Sciences concluded in 1996 that the "civil society as a set of groups, associations and organizations independent of the state developing various civic activities and associating and representing various interests... does not so far exist in this country."⁶³ In the case of the state remaining the biggest provider of civic activities, people cannot fully display their true desires and interests.

⁶¹ Wheathon and Kavan, op. cit., p.111.

⁶² Hanley, op. cit., p. 2.

Although, President Havel explains that the State should support free associations for two main reasons:

First, because the stability, harmony and success of society as a whole depend considerably on whether the various legitimate non-profit interests of citizens and their groupings have sufficient opportunities for their implementation. Second, because most of these non-profit activities do not serve only those who take part in them, but bring a wider benefit that can be, in one way or another, enjoyed by everyone.⁶⁴

There has not been yet an authentic re-structuring of society. The current situation can best be described by survey-results regarding citizens' own assessment of their involvement in civic activities. Even almost a decade after the Velvet revolution, only 31 percent of respondents consider it necessary to involve themselves in civic activities. On the other hand, 44 percent of respondents do not want this involvement at all. And the number of citizens who want to participate in civic activities has been decreasing since 1995.⁶⁵

Václav Havel, in a recent speech, also points out that after the political elite gained control of the state, they started to contest the idea of giving up anything that had once been under their control. Therefore, many schools, hospitals, cultural institutions and other organizations are still governed by the state administration. The debate over decentralization is ongoing and the state still has not displayed a willingness to pass its responsibilities on the regional or municipal authorities without a fight. As Havel argues,

⁶³ Hanley, loc. cit.

⁶⁴ Havel, loc. cit.

⁶⁵ Institut pro výzkum veřejného mínění, IVVM, Tiskové zprávy politické, "Názory na zapojení občanů do společenského dění," [<http://www.ivvm.cz/arpol/pd/pd80390.htm>]. December 1999.

this approach has led to a overly high level of taxation that would not be necessary if the people could pay for these services directly, as in an advanced civil society.⁶⁶

In some cases, politicians react to the issue of reducing the state's authority with ideologically based arguments. Politicians usually respond:

People have chosen us in an election; it is therefore their will that we rule the country on their behalf... The social redistribution of recourses is a task for the state, and its responsibility in this field must not be diffused. Attempts to build or to support any parallel structures that would not be politically controlled from the center amount to casting doubt on parliamentary democracy.⁶⁷

There is no doubt that the transformation to democracy without a radical economic transformation is a very sensitive and difficult problem that many newly born governments have to face. Not only are there issues related to the rule of law and formal democratic structures, but also how radical economical the changes should be in moving the economy. In the case of Czechoslovakia, the state was the sole owner of all companies and businesses. With the collapse of communism it was important to return the national wealth back to its true owners, that is, the citizens of Czechoslovakia. This then raised serious questions about how the privatization of the Czechoslovakian economy should have been shaped and who would be advantaged by the privatization process.

But the basic dilemma was even deeper than this. There was a tug of war between two important elements of the newly born government, raised from the popular movement known as the Civic Forum. On the one hand were anticommunist dissidents

⁶⁶ Havel, op. cit., p.3.

⁶⁷ Havel, loc. cit.

with their ideas of morals, civic values, civic responsibility, the role of civil society etc., and, on the other hand, economists from the Prognostic Department and the banks.

These two main-streams were responsible not only for the overall economic transformation, but also for how and from whom the nonexistent middle class would be recruited and shaped in Czechoslovakia. In the period of transition the economic transformation was very important because "...this would be the first experience the public had with economic reform-to avoid it being seen as a social injustice comparable to the nationalization of businesses by the Communists forty years ago."⁶⁸

Those who advocated a "pure market solution" simply suggested setting up the law that would put all interested parties on the same starting line. This approach assumed that interested parties were equal, as were the origins of their money. According to Znoj,⁶⁹ one concern was whether the buyers would have to justify the origins of their money when buying a small company or business in a public auction. Yet, even if ordinary people wanted to involve themselves in the privatization, they could not fully participate because they did not have money, nor did they have the necessary contacts and connections to be able to make a purchase. In reality, there were many people "who had acquired wealth through fraud, bribery and various nomenclatura trickery, and such people would hardly make ideal company owners."⁷⁰ A counter to the arguments that raised these sorts of questions was that there was no "dirty money" because money is

⁶⁸ Havel, V., *Summer Meditation*, p. 68, Alfred A. Knopf, INC., 1992,

⁶⁹ The author is a philosopher and political scientist from Charles University Faculty of Philosophy in Prague.

⁷⁰ Znoj, M., "By Their Deeds Ye Shall Know Them," p. 2, [<http://www.new-presence.cz/99/01/znoj.htm>]. January 1999.

money. As Tomáš Ježek, the minister for privatization stated; "We cannot ask people where they got their money from. Certainly there is dirty money here, but the best way to clean it is to put it to work."⁷¹ In the end it turns out an economic arena was opened for everyone who had enough money, or who had adequate contacts to assist in getting bank loans. In my opinion, this froze post-revolutionary euphoria, because people started to see "many already known faces." Havel in 1992 wrote in his book,

...The auctions had been successful; there have been no major protest[s] against the potential for injustice or immorality being built into our foundation of our new economic system... On the other hand, I *often [bold mine]* hear complaints that all the power is being given back to the Communists,... It is said that various brotherhoods and mafia of former high-ranking Communist are using front men to buy everything up.⁷²

The biggest percentage of our national wealth was to be sold in this large privatization. The bill, agreed upon in November 1990 proposed that every citizen from the age of eighteen would receive a share of the national wealth in the form of coupons representing 1,000 crowns. Most citizens could thus become investors, but without important information that they needed to make smart investments. Being a new shareholder seemed to leave many people disappointed and passive because ordinary people had no access to information relating to the past performance, or future prospects and plans, of the privatized enterprises whose shares were up for grabs.

Moreover, after so many years under centralized communist rule, people did not fully trust the economical changes that were being promoted. Therefore, they insisted on distancing themselves from active involvement in privatization. It was not a matter of in

⁷¹ Wheathon and Kavan, op. cit., p. 157.

⁷² Havel, op. cit., p. 69.

action, but a matter of distrust of institutions that had long been interfered with by the state.

This situation created advantages for industry professionals, and for the members of managerial elite, who already had the necessary information and knowledge. There is no doubt that ordinary people could not compete. Sometimes ordinary people, without understanding voucher privatization principles, and having been manipulated by persuasive and suggestive advertisements in the media, sold or gave away their share of national wealth "vouchers" for small amounts of money or for promises that these coupons would be better managed by "experts" who were amassing large funds. After a couple of months, the media was "surprisingly" full of stories about going privatization funds bankrupt due to "wrong financial transactions and decisions."

But there was one more important factor in privatization's failure for many people. This is the non-existing legislation that should have shaped the final product. According to Ježek,⁷³ "lawyers failed to form a clear idea of what to do in the new free market," and " ...the legislation was created hastily and in a short period of time. This is especially true of the laws about investment companies and privatization funds...." And lastly, "... our primary concern was the speed of the reform and how to maintain its fast pace. If reform was to be successful, it had to be concentrated into a short period of time...."⁷⁴

⁷³ The former Chairman of the National Property Fund

⁷⁴ Ježek, T., *The building of Capitalism* in Znoj, M., "By Their Deeds Ye Shall Know Them," p. 2, [<http://www.new-presence.cz/99/01/znoj.html>]. January 1999.

As the economic transformation survey from 1997 shows, many people feel mistakes were made of the conception of privatization. The second set of problems consisted of a lack of knowledge among ministries, along with inability (and partial impotence) on the part of the government to provide conditions conducive to a smooth economic transformation (Tables 1 and 2).

Table 1: Evaluation of Transformation from the Beginning of 1997

<i>Date/Opinion</i>	<i>97/02</i>	<i>97/03</i>	<i>97/04</i>	<i>97/05</i>	<i>97/06</i>	<i>97/07</i>	<i>97/10</i>
<i>Satisfactory</i>	18	20	11	10	8	8	12
<i>Half satisfactory</i>	44	34	38	40	31	32	31
<i>Non-satisfactory</i>	27	36	44	44	53	53	45
<i>Do not know</i>	11	10	7	6	8	7	12

Source: Institut pro výzkum veřejného mínění, IVVM, <http://www.ivvm.cz>, Spokojenost s ekonomickou transformací, postoje k sociálním škrtům, page2 (Translation: Satisfaction with economic transition, opinions about social cuts).

What is, in your opinion, the reason for failures in our economy?

(1067 respondents were asked this question in order to fairly represent citizens of the Czech Republic; 850 responded.)

Among the most important reasons cited,

- 22% mistakes of management in the conception
- 22% inability of the government, mistakes of ministries, a lack of knowledge
- 18% economical criminality
- 10% a lack of legislation

- 7% bad approaches to privatization

Other comments are not mentioned by the author

Source: Institut pro veřejného mínění, IVVM, <http://www.ivvm.cz>, Spokojenost s ekonomickou transformací, postoje k sociálním škrtům, page1 (Translation: Satisfaction with economic transition, opinions about social cuts).

Overall, the government asked individuals to take responsibility into their own hands and behave as in a free market by investing their shares of the national wealth. But the same government did not provide them with a legislative framework. Even President Václav Havel saw the necessity for legislation. He mentioned that the government

...must quickly come up with legislation for the new economic system of legislation that will lay its foundation [and] determine the framework within which it will operate to establish the 'rules of the game'.⁷⁵

Moreover, he argued that it would be a big mistake to think that the market place and morality were mutually exclusive.

The market place can work only if it has its own morality - a morality generally enshrined in laws, regulations, experiences, customs - in the rules of the game, to put it simply. No game can be played without rules....⁷⁶

The rules that should have shaped activities during privatization were never made clear, and mistakes stemming from such a large privatization remain as open wounds in society. For instance, Arnuf Ivan Simon, who is one of the biggest critics of coupon privatization,⁷⁷ argues that virtually the same people who managed the privatization

⁷⁵ Havel, op. cit., p. 77.

⁷⁶ Ibid., p. 67.

⁷⁷ Simon is an American economist of Czech origins. He studied the economy, foreign trade and optimization of industrial systems at the Rutgers University. He worked as the advisor of the Ministry of Industry in Czechoslovakia after the Velvet Revolution in 1990. Simon holds many patents and during the 80s, he developed the long-term strategy for the Swiss banking community

process managed investment funds. In his interview with "Americké Listy", he described the lack of rules: "...you could be a member of fifty privatization funds. When you have a look to the registration of privatization funds with a focus on the top management, you can see that there are almost the same names [translation mine]." ⁷⁸

As an example of how the problem is still very much alive in the minds of our citizens, all we need do is consider the results of the latest survey. On February 23, 1999, 53 per cent of questioned citizens indicated their dissatisfaction with the course of transformation; 35 percent saw failures in the constellation of conditions and real mistakes in setting up the conditions for an economic transformation; and 30 percent blamed economical criminality and corruption as well as the weak conceptual framework. ⁷⁹

It would not be appropriate to base all the sources of corruption only on the false morals of the Communist regime, as these continue to influence the economic transformation. Better knowledge of the social pre-conditions of corruption would have prepared politicians, and they could have adopted a better legislative framework. Robert Klitgaard pointed out in the book, "*Controlling Corruption*," Huntington's propositions about the conditions favoring corruption in government.

Corruption tends to increase in a period of rapid growth and modernization, because of changing values, new sources of wealth and power, and the expansion of government.... The *less developed* are political parties, the more prevalent is corruption.... or ...A country ratio of political to economic opportunities affects the nature of corruption. If the

⁷⁸ Americké Listy, p. 7, April 8, 1999

⁷⁹ Institut pro výzkum veřejného mínění, IVVM, Tiskové zprávy sociálně ekonomické, Ekonomická transformace-názory na úspěšnost a na příčiny, p. 4, [<http://www.ivvm.cz>].

former outweigh the latter, then people will enter politics in order to make money, and this will lead to a greater extent of corruption.⁸⁰

The reason for trying to describe some negative impacts of privatization on society is not to diminish the importance and necessity of this process in the Czech Republic, or as Václav Havel pointed out "...to carry 'the non-conception cult' too far..., "⁸¹ but to show that these changes, if they are not carried out carefully, can lead to corruption and, consequently, to negative attitudes toward changes, especially in rapidly changing conditions.

Another problem with the economic transition is that it "stopped at the halfway mark." To better explain this, I would say that, without carrying out necessary changes inside the schools' system, hospitals, cultural institutions, social welfare establishments, and within public administration, the economic transition cannot be completely successful. Although the Act on public benefit organization, was passed by the Chamber of Deputies in reality, no single act can create a properly functioning non-profit sector. As the president argued in his speech,

...Some say that this is impossible without special legislation for such transformation. Some say that it can be done under the existing privatization law, but that nobody is trying because everyone finds it easier to stick to the good old socialist ways - especially since tax easements for those financing the non-profit sector have failed to appear.⁸²

⁸⁰ Robert Klitgaard, *Controlling Corruption*, p. 66, University of California Press, Ltd., 1998.

⁸¹ Havel, V., "President of the Czech republic, before the Members of Parliament," Prague, p. 6, [<http://pes.eunet.cz/97/500050ar15.htm9>]. December 9, 1997. President addressed his point of view on the crisis and gave possible solutions that should be taken into consideration by politicians in order to restart and continue with democratic changes in the country.

⁸² Havel, loc. cit.

The money has to pass through many hands in the centralized body of the state, from its collection as collected taxes through competent ministries, and back to organizations that support regional needs and necessities. The centralized collection and distribution method cannot be the only way to support local-level entities and organizations. Support for these entities should come via multiple-source financing, that would not only include the state's contributions, but also funds from many single and small contributors who want play their part as responsible citizens and assist these public benefit organizations.⁸³ Currently, individuals are only offered an "...unpalatable choice between an excessive, elephantine, and paternalistic government and a radically self-absorbed, nearly anarchic private market."⁸⁴

In the case of the Czech Republic, it was the power of the citizens, demonstrated in the Citizens Forum after the Velvet Revolution that ensured that the restoration of democracy could not be completed and granted without ongoing support for the idea of civil society, which guarantees a space for civic activity. In such a society, individuals exhibit situational identity, and " ...can selectively display or hide their multiple allegiances to or from a wide variety of entities..." and " ...all sorts of affiliations of choice....,"⁸⁵ is one in which democracy is likely to be stable.

On the other hand, to fully guarantee these conditions, civil society depends on a civil state; a state that is capable of "...[safeguarding] the freedoms of associations and

⁸³ Havel, loc. cit.

⁸⁴ Barber R. B., "The Search for Civil Society, Can We Restore the Middle Ground Between Government and Markets?" p 1, [http://www.cpn.org/section/partisans/perspectives/new_democrat/rebuild_search.html].

⁸⁵ Simons, op. cit., p. 279.

initiative on which a vigorous public life depends."⁸⁶ As Hefner points out in his article; "...civil society requires the legal vigilance and regulatory safeguards of an engaged citizenry and a civilized state."⁸⁷ Also President Havel points to the importance of a legal system, not only for the transformation period, but also for further development of society. A clear administration, a spirit of justice and a more understandable legal system are things that political elite must work for.

The spirit of justice and decency, as it emanates from the moral order, must permeate the entire set of technical rules governing our coexistence, that is our legal system.⁸⁸

In the last ten years, it was the political elite that proved incapable of "stepping out of the shadow of Czech provincialism and parochialism."⁸⁹ This elite also regarded attempts to support the idea of, or put their faith in civil society, as some kind of leftism, anarchism or syndicalism: it has even been called it proto-fascism.⁹⁰

Without doubt, this kind of attitude is detrimental to the development of civil society as a solid foundation of the democracy. Democracy cannot be guaranteed only by democratic institutions and parties, but there must also be a pluralistic civic environment

⁸⁶ Hefner W. R., "Civil society and democracy," p. 13, [<http://civnet.org/journal/issue7/ftrehfn2.htm>]. May-June 1998.

⁸⁷ Ibid., p. 14.

⁸⁸ Havel, V., "President of the Czech republic, before the Members of Parliament," Prague, , p. 4, [<http://pes.eunet.cz/97/500050ar15.htm9>]. December 1997.

⁸⁹ Pehe, Jiří. "Czech Crisi Deepens", p. 4, [<http://www.new-presence.cz/99/01/pehe.html>]. January 1999.
The author is the Director of the Political Department of the Czech Presidential Office

⁹⁰ Havel, V., "A Speech by Václav Havel, President of the Czech Republic, on the Occasion of 'Václav Havel's Civil Society Symposium'," p. 3, Macalester College, Minneapolis/St. Paul, USA, [http://www.hrad.cz/cgi-bin/toASCII/president/Havel/speeches/index_uk.html]. April 26, 1999.

from which political parties and institutions take receive their potency and inspiration. A pluralistic civic environment also makes allowances for well-substantiated criticism of the elected parties and institutions.⁹¹

If the role and concept of civil society is underestimated, and voices from the grassroots are under-appreciated, many citizens might believe that something artificial is being imposed upon them again. As Barber notes,

Civil society is in fact the domain of citizens: a mediating domain between markets and government. ...[Democracy] is that form of government in which rights and responsibilities are two sides of a single civic identity, one that belongs neither to state bureaucrats nor to private consumers but to citizens alone.⁹²

D. ACTUAL SITUATION AND OUTCOME

In my view, the problem is to find a balance between the two extremes represented by the political elite during the last decade, who sought either the "pure market solution" or the "elephant government solution." Both these approaches could work at the beginning of a transformation, but they cannot ensure the harmony and stability of the transformation and the future democratic development of the country. These approaches also keep the transition at the halfway point because the political elites still provide all the initiatives that should be borne by a wide range of non-profit organizations and entities. Neither approach helps develop space in which individuals can better fulfill their intentions and interests. Also, it is only organizations and entities at the regional and local level that are best equipped to take into account regional or social differences that cannot be fully

⁹¹ Havel, loc. cit.

⁹² Barber R. Benjamin, "The Search for Civil Society, Can We Restore the Middle Ground Between Government and Markets?" p. 5, [http://www.cpn.org/section/partisans/perspectives/new_democrat/rebuild_search.html].

understood from a distance such as that which exists in the ministries in the capital. Delegation of responsibilities also helps keep the allocation of resources well regulated by which all those entities who leave an interest in their being administered fairly. As Václav Havel pointed out in an interview with *Talk* magazine: "...The media and political parties seem to form a kind of special world of their own that runs completely parallel to and outside that real world in which people live." ⁹³

⁹³ Stephanopolous, G., "Ten Years After," O&A, p. 2, *Talk*, November 1999.

III. Poland

A. BACKGROUND INFORMATION

The First Polish Republic, like the First Czech Republic, was born in 1918. Its development was complicated by many open disputes with Russia that finally led to the signing of the Treaty of Riga in 1921. The young republic was designed as a liberal democracy with the Constitution signed on March 17, 1921. To some extent, the development of the first republic out of strong nationalist feelings determined the position of the Polish majority against minorities living in Poland. Although these attitudes were never openly expressed, authorities did not make any secret about the distribution of the state's funds that openly favored only the Polish sector.⁹⁴ We see many signs of "cultural chauvinism" aimed out minorities living in Poland.

Significant difference between Czechoslovakia and Poland has to do with the role played by the Roman Catholic Church, which, in Poland, always had a strong influence on development of the civic sector and of the State. The development of the civic sector has a long history in Poland that dates back to the 12th and 13th centuries, and can be traced to the first voluntary hospitals.⁹⁵ The Roman Catholic Church found itself able to maintain close ties with the population throughout Poland's history. For example, in 1930, the Catholic Men's League, Catholic Women's League, and Catholic Youth's League attracted more members than any political party in Poland.⁹⁶

⁹⁴ Davies, Norman., *God's Playground: A History of Poland*, Volume II., pp. 419, 393 and 418, Columbia University Press, 1982.

⁹⁵ Les, E., "Poland, Facts and Figures" p. 1, [<http://www.civicus.org/Poland.html>].

B. INSTALLATION OF COMMUNIST POWER

Before World War II, Poland also had a different relationship with the Communist party than did of Czechoslovakia, where the Communist party was only one of many along the political spectrum. In Poland, "Communism had not been popular in the prewar period, and thus Polish communists were politically and numerically insignificant."⁹⁷ As Packowski, in his essay in *The Black Book of Communism*, also describes "...the Communists had been a marginal group, with no chance of being elected to power in a democratic process." Also as Blanning argues, "...the Communist movement was so weak that it could never [have] contemplated open competition with 'bourgeois' parties."⁹⁸ Communists were all the more unpopular because the majority of Poles were traditionally wary of, or even overtly hostile to, the U.S.S.R. and Russia in particular, especially after the recent bitter experience of 'liberation' by the Red Army."⁹⁹ Therefore, the Communist powers had to project themselves more violently with the active support from the NKVD (Soviet Political Police), in order to ensure a maximum impact on the society immediately after the end of World War II.

Although, some parallels can be drawn between the Communist seizures of power in Poland and in Czechoslovakia, some differences also exist. One of them is the strong position of the Church in Polish society. Thus, I would not be able to fully elaborate on

⁹⁶ Davies, op. cit., p. 419.

⁹⁷ Zuzowski, Robert. *Political Dissent and Opposition in Poland /The Workers' Defense Committee "KOR,"* p. 18, Praeger Publishers, 1992.

⁹⁸ Davies, op. cit., p. 543.

⁹⁹ Curtois, S., and others, *The Black Book of Communism, Crimes, Terror, Repression*, p. 376, Harvard University Press, 1999.

the civil society without mentioning the ongoing tensions between the state and the Church.

When the period of Communist pressure began, the Communist government was not able to eliminate the influence of the Church on Polish society, which maintained its traditional close ties with the Roman Catholic religion. That is why, in the beginning, the Communists never openly constrained churches in their everyday religious life. Although churches tried to keep their distance from any political involvement, as soon as the Communists stabilized their power, they became one of the primary targets of the Communist terror. Consolidation was then shifted to a policy of terror in which, as Zuzowski pointed out, " By the end of 1952 eight bishops and over 900 Roman Catholic priests were in prison. A year later, the primate of the Catholic Church in Poland, Cardinal Stefan Wysinski, was also arrested."¹⁰⁰

Packowski¹⁰¹ also discussed another religious group that became the target of Communist interest; "...Jehovah Witnesses, who were considered to be American spies, were a particular target. In 1951 more than 2,000 of them were imprisoned."¹⁰² Even Czechoslovakia experienced similar anti-religious attacks, though their scope and terror cannot be compared to that of Poland, because only 73 percent of Czechoslovakia's population was Roman-Catholic, with the remaining 27 percent belonging to 17 other religions or religious denominations.¹⁰³

¹⁰⁰ Zuzowski, op. cit., p. 18.

¹⁰¹ Andrzej Packowski is one of the co-authors of *"The Black Book of Communism..."* and he describes the Communist tactic in Poland and its interactions with the society.

¹⁰² Curtois, op. cit., p. 376.

In Czechoslovakia the fight against the power of the Church developed more slowly, but by 1950, the Communist regime finally broke up clerical opposition through mass arrests of the clergy, political trials and finally by isolating the Church in Czechoslovakia from the Vatican.¹⁰⁴ As a consequence, in Czechoslovakia, the Church was visibly politically manipulated. This led many people to distance themselves from the Church and even to go so far as to convert to atheism. In contrast, the Communists in Poland were internationally isolated from the Vatican, nor was there Communist influence and manipulation of the churches. In Poland, Communist attempts to suppress the influence of religion led to totally different results. As Robert Zuzowski argues, the Communists' pressure for more and more atheism had the opposite effect.

After almost forty years of Communist influence, more than 90 percent of Poles still expressed their faith in the Church.¹⁰⁵ Zuzowski points out that two most important periods for the granting of state concessions were made in 1956 and 1970. Zubowski, as well as Linz and Stephan, discuss state-church relations in these periods. Even though there were many clashes between the Communist rulers and society, the Church was never mortally threatened. Also, whenever concessions were made, universities also gained more autonomy in such areas as sociology, philosophy and history.¹⁰⁶

The Church returned to playing an active political life after 1970. It increasingly expressed its political views on societal problems and helped opposition forces to

¹⁰³ Bušek and Spulber, op. cit. p. 141.

¹⁰⁴ Ibid., pp. 148-149.

¹⁰⁵ Zuzowski, op. cit., p. 119.

¹⁰⁶ Linz, J. J. and Stephan, A., *Problems of Democratic Transitions and Consolidations, Southern Europe, South America, and Post-Communist Europe*, p. 260, The Johns Hopkins University Press, 1996.

mobilize citizens against the Communists. These political attitudes were not only promulgated by the intelligentsia, but also broadcast to all Roman-Catholic believers. There are many events that reflect stronger "unification and cooperation" with the opposition forces in the society.

Overall, the Church support of opposition forces in Poland, and its development through the years, continued to render it an obstacle for members of the Communist elite who sought to more manipulate Polish society. In contrast, opposition forces in Czechoslovakia did not have such constant church support¹⁰⁷ and consequently, the opposition there had to operate in "autonomous intelligentsia circles" that were thinly spread across society and this could not draw on significant support from the population.

Overall, as Zubowski summarizes the influence of the Polish Roman Catholic Church in the 1980s:

One can hardly imagine the formation of an open, organized dissident group in Poland in 1976 without the political groundwork done by the Church in the immediately preceding period.¹⁰⁸

All these differences, as I mentioned above, played an important role, not only during the period of Communist leadership, but they also shaped the future democratic transition in Poland that is influenced by the Church even until the present day.

In many other areas, the Communist tactics supported by "specialists" from the NKVD, and later the KGB, were similar to those used in Czechoslovakia. The tactics of manipulation, repression, political trials, executions and deportations were employed in

¹⁰⁷ The strong opposition support from the Church might be traced in Kenya too. The Protestant Churches sustained their work against on party regime orchestrated by Moi and their power was never broke down. More in the Chapter V.

¹⁰⁸ Zuzowski, op. cit., p. 135.

order to break down the vitality and activity of civil society in both Czechoslovakia and Poland. The main goal was to obtain the absolute obedience of the citizens, as well as to suppress all possible "anti-communist" voices.¹⁰⁹ Despite the terror unleashed on people, anti-Communist resistance in Poland was very strong. From 1945 to 1948 almost 8,700 opponents of the communist regime were killed and from 1951 to 1953, around 6,000 people were arrested each year.¹¹⁰ According to Packowski, in 1953 there were 5.2 million individuals, one third of the adult population, who had their files entered into the Security Service databank.¹¹¹ The insecurity created by the Communists did not leave anyone anywhere to hide; there were no "safe positions" in any part of Poland's political or economical life.

This was a period when everyone seemed to be going to prison: members of the Politburo, prewar officials (including the former prime minister), generals, comrades of the AK, bishops, partisans who fought the Germans and then turned their weapons against the Communists, peasants who refused to join the kolkhozy....¹¹²

This "absurd and monstrous machinery" based on "pseudo-explanations taken from Marxism-Leninism," and implemented in order to absolutely suppress individualism so as to finally force people into passivity, was never satisfactorily implemented in Poland. Even an economy that promised to improve the living standards of workers could not work efficiently in such conditions, and therefore turned Communists' promises into

¹⁰⁹ The network of the Security Service counted almost 26,000 informers in 1953. (Curtois, *op. cit.*, p. 381.)

¹¹⁰ Curtois, *op. cit.*, pp. 379 and 381.

¹¹¹ *Ibid.*, p. 382.

¹¹² Curtois, *loc. cit.*

empty words. As Bernhard argues¹¹³, "...obedience had been based largely on coercion and economic benefit. When the regime stopped using terror and *failed to deliver economically, Poles stopped obeying*. [Italics mine]."¹¹⁴

As far as economic benefits are concerned, we can draw parallels between the newly born communist regimes in Poland and Czechoslovakia. In both of those countries, the Communist's first economic plans did not really achieve the expected results or meet expectations. Economic dysfunction caused by changes in management and reorientation toward different industrial commodities, left behind crowds of unsatisfied citizens who blamed the government for its inability to maintain their living standards. For example, in Poland, "...in the period from 1950 to 1953, real wages fell at a rate of 3.7 percent per annum..."¹¹⁵ The gap between promises and reality shredded people's patient obedience, and caused dissatisfaction that consequently led to many demonstrations.

As in Czechoslovakia, managerial changes could not solve basic problems of inefficiency. Even more liberal Gomulka's¹¹⁶ visions from 1956 were not fully realized; nevertheless, some changes did take place, such as the de-collectivization of agriculture and the introduction of new attitudes toward small craftsmen and retailers. Overall, small concessions by the Communist elite could not effectively re-structure the economy and make it more productive. Indeed, in the 1970s, the same problem of economic

¹¹³ Michael H. Bernhard presents in the book *"The Origins of Democratization in Poland, Workers, Intellectuals, and Oppositional Politics 1967-1980"* an excellent picture on self-liberation of the civil society in four post-communist countries (Poland, Czechoslovakia, Hungary and East Germany)

¹¹⁴ Bernhard, H. M., *The Origins of Democratization in Poland*, p. 35, Columbia University Press, 1993.

¹¹⁵ Bernhard, loc. cit.

inefficiency was raised again in Czechoslovakia, as well as in Poland. In Poland believing that the massive importation of new industrial equipment from the West could solve a long lasting economic problem proved to be a mistake; the Polish "economical miracle" could not be sustained for long. Because of its massive importation of industrial components financed by western credits, Poland amassed one of the largest foreign debts of any country in Eastern Europe.¹¹⁷ These high foreign debts¹¹⁸ had a direct impact on the living standards of the people, as well as on the future transformation of the Polish economy through the privatization after 1989.

Polish foreign debts increased from \$764 million in 1971 to \$20 billion in 1980. These debts caused many problems such as a disastrous agricultural policy (Poland became a big exporter of rural products), insolvency to pay for increased imports of new technologies, as well as an overall international energy crisis at the beginning of the '80s. Results of these changes inside the highly centralized economy led the Polish government to drastically increase consumer prices, and, consequently, to decrease the Polish population's standard of living. A decrease of the standard of living led many people to a deeper dissatisfaction with the communist regime. Repression by the government in order to silence workers gave a rise to the Worker's Defense Committee and further support from the population¹¹⁹

¹¹⁶ In 1956, Wladislaw Gomułka, the first secretary, had overwhelming support from the population. "He had a clear mandates from both the party and society." Bernhard, H. M., *The Origins of Democratization in Poland*, p. 36, Columbia University Press, 1993

¹¹⁷ Blanning, T.C.W., *Oxford Illustrated History of Modern Europe*, p. 279, Oxford University Press, 1998.

¹¹⁹ Zuzowski, Robert, op. cit., pp. 82-83.

C. RESTORATION OF CIVIL SOCIETY

Taking into consideration Communists' ongoing difficulties in establishing the overall "obedience" of the population, when Communism collapsed around Eastern Europe, Poland was in an excellent position for transform itself in to a democracy. While in Czechoslovakia the Communist regime simply *collapsed* almost overnight, in Poland, the level of "... disintegration of communism was much more advanced than elsewhere...",¹²⁰ and therefore, Poland had an advantage at the outset.

The problems with commanding citizen's obedience of the citizens may be seen in the Solidarity movement that rose in the 1980. This was the first time that Polish workers did not express their own interests only, but also demands for political changes as voiced by the intelligentsia as well as by the Church. Supported by many opposition parties, the Solidarity movement played the main role. However, some of the opposition parties did not support solidarity from the beginning because of their intentions to affect Solidarity's actions, or platform.¹²¹

Furthermore, in 1981, an increasing radicalization of the Solidarity movement toward political changes concerning the Communist elite led to an imposition of martial law in which many activists were arrested and all further opposition activities were frozen. Despite Communist party attempts to silent the opposition, the Party never again had the obedience of the country's citizens. Massive losses in the ranks of the Communist party indicate that people lost faith in the Communist ideology in all spheres of everyday

¹²⁰ Michta, A. A., "The Presidential-Parliamentary System", in *Transition to Democracy in Poland*, p. 80, ed. Staar, F. R., St. Martin's Press New York, 1993.

¹²¹ Zuzowski, op. cit., pp. 185-186.

life. Therefore, in April 1989, the reintroduced Solidarity was able to "...[win] all but one of the contested seats in partly free parliamentary elections."¹²²

In the same time, the level of decentralization in the economy, as well as the increasing autonomy of local government authorities over time better positioned Poland for a democratic transition. However, technocrats from the central government continued to ignore local authorities who have the best sense for how resources should be allocated in their communities. Thus, improvements designated to support decision-making reforms of the local level have not yet supported higher levels of participation by the citizens, as expected.

As Michta points out, results from a public national opinion poll show: "...some 84.5 percent of respondents gave a negative answer to a question concerning their influence on community development [in 1994]."¹²³ Consequently, the recently instituted bureaucratic structures of the new government have afterwards proved counterproductive to much needed decentralization reforms. As in the Czech Republic, the Polish government has not successfully transformed its decision-making at the local level, and therefore, local authorities cannot operate as responsively to their local needs as they otherwise might. As Hick and Kaminski argue with regard to local government reforms,

..., Poland may have missed a unique opportunity to design a local government system that would be relatively free from the usually devastating impact of partisan politics on intergovernmental affairs.¹²⁴

¹²² Ibid., p. 232.

¹²³ Michta, op. cit., p. 92.

¹²⁴ Hicks F. J., Kaminski, B., "Local Government Reform", p. 89, in *Transition to Democracy in Poland*, ed., Staar, F. R., St. Martin's press, 1993.

Practically the same problem could be seen in the Czech Republic. That is why Václav Havel has called for more pervasive decentralization that will give greater responsibility to the local authorities, and consequently, to inhabitants living in these areas. As far as this is concerned, decentralization is one of the important conditions needed to enable civil society to act as a pillar of democracy.

In Poland, all newly created voluntary citizens' organizations were initially seen as engines for the important changes necessary for the establishment of civil society. Nevertheless, with passing years, support for civil society, in all spheres, became less popular among political elites.

For example, during the dispute about the possible referendum on an issue of the proposed anti-abortion bill, " ...a deputy to the Parliament stated: "We cannot allow an adventitious society to decide the question of public morality..."¹²⁵ This raises the question of whose responsibility it is to solve the question of "public morality." The government, if civil society works properly, has so many streams of opinions with which to contend from the different communities, groups and organizations, that it cannot simply make decisions on "what is the public moral." All these entities present their voices-the voices of free citizens-and, therefore, none can be eliminated. State-church relations cannot offer any solutions because only a developed civil society is able to oppose and reshape the activities of political parties to reflect all "moral views" in the society.

¹²⁵ "Strengthening Global Civil Society," Coordinated by Miguel Darcy de Oliveira and Rajesh Tandon, CIVICUS: World Alliance for Citizen Participation, p. 12, [<http://civnet.org/document/writings/civicus2.htm>]. 1994.

Adam Michnik¹²⁶ argues that by highlighting only Christian roots in European culture, we might miss other important influences that shaped civilization in Europe, such as those of Greece, Roman law, Islam and Judaism, as well as traditions of humanism. He points out that "Christianity is irreplaceable, indeed [an] integral, element of European culture..."; nevertheless, the notion of freedom "...is always insurance against oppression, and freedom of choice is also the freedom to choose to sin."¹²⁷

Without a doubt, the Church, traditionally, was a very important opponent of the Communist regime in Poland; and as Hopkins contends, society was divided into two parts: Polish civil society and the Communist state. The Church, during this period of time, not only provided the moral support for Polish society to survive all attacks against basic human rights issues, but also educated Polish citizens on how to oppose the state and its "non-ethical" ideological background. But after the breakdown of Communism in Eastern Europe, Poland's pre-existing civil society, referred to by Linz and Stephan as an "ethical civil society," seems to have created some "systemic problems for the creation of a democratic political society."¹²⁸ The problem stems from the civil society concept that individuals tend to group themselves mostly according to their interests, no longer simply as members of a nation opposed to Communist power.¹²⁹ In reality, too, Poland as well as in the Czech republic, both former opposition leaders Havel and Walesa were and are

¹²⁶ The author is a Polish historian and former dissident. He is also the editor in chief of "Gazeta Wobrocza", one of the few of newspapers that is distributed in Western countries for its excellent political analysis and comments. He was also known as one of the co-founders of the Committee of the Defense of Workers.

¹²⁷ Michnick, Adam, "What Pope Brought to Poland This Year," p. 5, [<http://www.new-presence.cz/97/10/michnik.html>]. October 1997.

¹²⁸ Linz, Juan and Stephan, op. cit., p. 270.

sometimes criticized for a kind of “anti-politics,” or “anti-formal politics.”¹³⁰ But to really understand why they are criticized like this, we have to examine the political culture that has risen during the last ten years. In the case of the Czech republic, Pehe argues:

In the absence of a strong opposition,¹³¹ a developed civil society and an impartial system of civil service, the coalition parties embedded within the state. Preserving their political and state administration post became gradually more important than generating new ideas and finishing various reform projects.¹³²

Additionally, political culture shrank into ongoing petty disputes among political party leaders broadcast by the media. In this atmosphere, former dissidents still play an important role as mediators not only among the leaders of political parties, but also between the citizens and the state. The notion of “anti-politics” is not a real one. Havel, Walesa, along with other leaders are simply involved in politics of myriad levels as they try to gain public support for the development of (and understanding about) a civil society.

In Poland, another important element for the success of the transition to a democracy was economic privatization. The most problematic part of privatization was not to transfer small enterprises and factories, but mainly, as Slay and Rutkowski and Slay call them, “...insolvent state owned dinosaurs.”¹³³ In both countries small-scale privatization was completed successfully without significant disputes. The privatization

¹²⁹ Ibid., p. 267.

¹³⁰ Ibid., p. 270..

¹³¹ The author explains roots of the crisis in Czech politics caused by lack of communication and leadership inside and among opposition and coalition political parties.

¹³² Pehe, Jiří, “The Politics of Crisis,” p. 1, [<http://www.new-presence.cz/97/06/politics.of.crisis.htm>]. June 1997.

of large-scale state owned enterprises (SOEs), on the other hand, led to many political negotiations within Maziowiecki's cabinet. Cannon describes Polish privatization mistakes as follows:

...privatization in Poland has turned full circle and now [1993, date mine] is back where it started, asking about the place of employees and management in the process, and how to privatize large numbers of SOEs. The answers given to these questions during 1989-1990 were wrong. The political decisions of the Maziowiecki government to eliminate representatives of employees (dominated by Solidarity) from the privatization process, **not to eliminate discredited communist officials from the state bureaucracy and industrial management, and to privatize SOEs individually in a centralized, arbitrary manner, led to limited success for the privatization policy** [bold mine].¹³⁴

Even though Polish privatization was done by a different means, there are some familiar problems with its overall strategy, again (as in Czechoslovakia), having to do with a focus on speed by the first democratically elected government, and the difficulty of eliminating of the influence of former members of the *nomenclatura*.

D. ACTUAL SITUATION AND OUTCOME

Without questions, Poland has progressed a long way from Communism toward democracy. As I argued in previous sections, the Communists' pseudo-ideas never fully took root in Polish civil society because of the ongoing negative responses of the population coordinated by the Church, Workers Defense Committees, and Solidarity in the '50s, '70s and '80s. Despite differences between the historical conditions that influenced the development of civil society, there are remarkable similarities in the transitions to democracy with which Poland and the Czech Republic had to deal.

¹³³ Slay H. B. and Rutkowski, M., "Product and Labor Markets", in *Transition to Democracy in Poland*, p.163, St. Martin's press, 1993.

First, as I argued in previous sections, the economic transformation was not always smooth. Certain segments of society were left behind given significant decreases in employment, healthcare, education, as well as the redistribution of former wealth which had an inverse impact on the civil society. In fact, these radical changes negatively influenced many social groups in society. Responses were similar to those in the Czech Republic, such as an overall de-politicization, apathy, voter abstention, a retreat into private life, and overall skepticism inside society.¹³⁵

Secondly, these radical changes caused people to feel they were being evicted from "the traditional social nest." This situation has provided populist with an excellent opportunity. Populists typically "help" disoriented and passive individuals to find cheap solutions, as well as to point out "suspects" who caused their problems. Seeking the appropriate individuals might lead people to glorify the political elite and look the effects of active populist political leaders. In Poland, as Taras pointed out, "...80 percent of workers believed that 'if the right people were in power, things in Poland could very quickly become much better'." ¹³⁶

These are exactly the same responses given in polls in the Czech Republic indicating that economic reforms, despite their widely acclaimed successes, had many negative consequences on the citizens. The negative consequences impacted political life given the speed, the lack of a legal framework, and the lack of information to possible

¹³⁴ Cannon, L.C., "Privatization and Strategy and Its Political Context", in *TRANSITION TO DEMOCRACY IN POLAND*, p. 141, St. Martin's press, 1993.

¹³⁵ Taras, Raymond, *Consolidating Democracy in Poland*, p.195, Westview Press, 1995.

¹³⁶ Taras, loc. cit.

economic regressions, all which have caused citizens to distance themselves from active democratic support.

Additionally, populism creates a high level of political fragmentization, which makes it very hard to connect people together across a wide variety of democratic political entities and parties. This lends an advantage for former socialist and communist parties who can put together voters more easily and they can accommodate themselves inside the new democratic parliaments, and even in political leadership.

In both countries, we can trace a return of the former communist *nomenclatura* into state administration as well as into an active political life. In Poland, the support for the "leftist cadres" was reviewed after their initial paralysis and they gained 34 percent of votes in the parliamentary elections in 1991.¹³⁷

This comeback is also visible in the Czech Republic where the number of people who support Communism is around twenty percent. Some members of the *nomenclatura* successfully accommodate themselves to politicians at the high levels thanks to a lack of political morals and ethics, which were suppressed for so many years. Sensationalized discoveries of former elites inside the democratic government also cause people to distance themselves from living up to their civic responsibility to help to strengthen democracy because they see again, too many of same faces in political leadership at all levels. These former members of the *nomenclatura* defend themselves by asserting that the democratic system itself carefully protects human rights. These "new democrats" are very watchful of any forces that would constrain their access to an active political life, such as the so-called *lustration process*.

¹³⁷ Ibid., p.196.

Overall, in Poland and the Czech Republic, further development of civil society- as a reality and an ideal- remains a very important issue. Even though some political leaders would like to ignore it, nurturing civil society is the only way to support further democratic development and to create a space for citizens in which can join a wide variety of associations. The problems described above have themselves only caused further civic passivity, distancing people from actively engaging in democratic civil society. This has not necessarily slowed the democratic transformation, but it does not help allegiance to the democracy take root inside society or sufficient numbers of citizens.

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IV. BOTSWANA

A. BACKGROUND AND HISTORICAL INFORMATION

Pre-colonial Botswana had a hierarchical society structure that was organized and centralized, but it also had its own flexibility. The king (kgosi) at the top of the centralized power of the nation (morafe) ruled the nation. According to Samatar, who describes Botswana's traditional society in his book, *An African Miracle*, the structure of the *morafe* had several tiers: the household, the family group, the ward, and the village. The first and basic tier consisted of households; Patriarchal units unified by blood comprised the second tier, family groups. Higher levels of tiers-wards (kgotla) and villages (motse)-were also divided according to whether people were royals, commoners and immigrants. The basic pillar of administration was a headman (khosana) who possessed administrative and judicial power. Another tier which can be said to have been important to the social structure was the age regiment (mephato) that grouped together boys and girls of a certain age. The age regiment served as a place to teach traditions and certain elements of culture to youngsters.¹³⁸

The king was at the top of the social and genealogical pyramid. He had to hold many important tasks for the morafe, such as that of spiritual leader, lawmaker and judge. Even though the king was lawmaker, important decisions about such things as a new law, had to be considered by the heads of wards (kgotla), before they could be passed to all the morafe.

¹³⁸ Samatar I. Abdi, *AN AFRICAN MIRACLE: State and Class Leadership and Colonial in Botswana Development*, pp. 40-41, Heinemann, 1999.

The structure of the society was vertically maintained and structured from the king at the top down to the lowest level of the morafe. This structure was maintained through religion, material ties and relations, and these in turn, usually incorporated involved patrons-client.¹³⁹ Considering the social structure and its dynamics without mentioning patron-client relationships and fragmentation would offer too limited a view of Botswana's pre-colonization society. As Bergman points out, " Precolonial societies were thus [because of unequal relations] full of conflict and competition, instability and change.

The scourges of war, famine and disease destroyed old communities and identities, forced people to move, and also created new communities out of survivors and refugees, often linked in unequal and dependent relations.¹⁴⁰

Despite these facts, the society had plenty of internal and external flexibility to help maintain balances and interactions such that these entities were able to exist for many hundred years. The most powerful and common form of wealth was cattle, which traditionally created a system of welfare inside the society. The king owned the most cattle, which was necessary for entertaining guests, providing for ceremonies and feeding the orphans.¹⁴¹

B. EFFECT OF COLONIALISM ON THE SOCIETY

The British style of colonization, similar to that of the French and Portuguese, drew ambitious Africans into a Westernized elite through a process of selection, and finally, through an education similar to that received by the colonists. Undoubtedly, there

¹³⁹ Samatar, loc. cit.

¹⁴⁰ Berman J. Bruce, *ETHNICITY, PATRONAGE AND THE AFRICAN STATE: THE POLITICS OF UNCIVIL NACIONALISM*, p. 307, African Affairs 1998, 97.

¹⁴¹ Samatar, op. cit., p. 42.

was no intention to offer European education beyond that necessary teaching Africans how to function in the bureaucracy under Europeans. As Berman points out,

...it [colonization] introduced a partial and extremely skewed representation of Europe not only through the state, but also the mission, merchant capital, and even settler communities...very little was invested in the civil apparatus of infrastructure development, social services and macro-economic management that could have facilitated the full transformation of African societies and their integration into the capitalist world economy.¹⁴²

Europeans presented their institutions and culture in this way in Botswana and notably left the country without an infrastructure, roads, a network of water distribution, or a power supply. At independence, Botswana was one of twenty poorest countries in the world.¹⁴³ Even though Botswana was the size of France, it had two miles of paved road. There was no telephone system, and the number of college graduates was fewer than ten.¹⁴⁴

Progress under colonial rule was guaranteed more by tribal initiatives on the local level, than by the British administration. From 1885 through 1966, chiefs anxiously and effectively watched over their autonomous positions. Berman argues, that sometimes people mistakenly see and treat the colonial state as if it were something above the existing social structure, or something imposed on the people without collaboration on by both sides. In the process of political mobilization, members of the elite as well as the poor channeled their interests and claims on resources through already-existing patron-

¹⁴² Berman, *op. cit.*, p. 314.

¹⁴³ [<http://www.gov.bw/business/index.html>]. p.1.

¹⁴⁴ Burman, Erica, "Botswana is an African success story--but its NGOs have had limited influence on the country's handling of environmental issues," p. 1, [<http://www.saep.org/sadc/country/botswana/botngo.html>]. Autumn 1996.

client networks.¹⁴⁵ As Berman comments on the complexity of existing patron-client networks and ethnic communities, he describes them as

...the fundamental state-society relations, not only tying rural societies to the developing communities in colonial cities, but also pinning the high politics of the state to deep politics of peasantry society.¹⁴⁶

Furthermore, as Wunsh and Oluwu argue, most of the states that came through the colonization experience had small, agricultural economies. Thus they were often exposed to economic cycles¹⁴⁷ or natural disasters such as drought and floods, in turn affecting the accumulation of wealth.

C. DEVELOPMENT OF CIVIL SOCIETY

The situation in Botswana was much more complicated than that in the two previous examples of the Czech Republic and Poland, because society was not only comprised of underdeveloped social classes from the post-colonial era, but there was also a pre-existing social structure based on the traditional *morafe*. Therefore, one of the most important steps in Botswana's democratization was to unify a leadership that could act as social anchor, lending the political order a degree of stability as well as political flexibility. This so-called "anchor" eliminated the constant shifts in political alliances among the elite, and created a space for investing in the development of institutions in the future.¹⁴⁸ Of course, even after these political changes and with the plurality of political

¹⁴⁵ Berman, op. cit., pp. 331-332.

¹⁴⁶ Bayart, Fishing the idea of the Third World in Berman J. Bruce, ETHNICITY, PATRONAGE AND THE AFRICAN STATE: THE POLITICS OF UNCIVIL NACIONALISM, p. 332, African Affairs (1998), 97.

¹⁴⁷ Wunshs, J. and Olowu, D., *The Failure of the Centralized State, Institutions and Self-Governance in Africa*, pp. 32-33, Westview Press, Inc., 1990.

parties in Botswana, today, the *kghosi*, still plays a role in the existing *morafe* and in everyday life. Historically, there were never open attempts by the leaders of the Botswana Democratic Party (BDP) to deny traditional leaders or traditional political groupings a significant role in the process of change.¹⁴⁹

Admitting and respecting the existence of pre-existing structures in African societies is an important factor for democratization. Not only is it important for further democratic development, but also for many peacekeeping operations, which are carried out in order to assure peace and stability. Depending on the consensus among local structures it may be possible to detect the potential for future failure, particularly political leaders are unable to maintain the balance and consensus between newly established political parties and old style "tribalism" which might otherwise harm and stop the democratic development.

Donald Rothchild cites the importance of a secure state that is able to guarantee more or less equal allocation of resources among all ethnic groups in the case of Botswana. He develops five basic conditions that are necessary in order to ensure the cooperation of ethnic groups which exist in the government:

...(1) demands are negotiable; (2) the state is responsive to legitimate demands; (3) the perceptions of state elites are pragmatic; (4) authentic representatives of the main ethnic groups are pragmatic; (5) there are no hurtful or antagonistic political memories.¹⁵⁰

¹⁴⁸ Samatar, op. cit., p. 197.

¹⁴⁹ Ibid., p. 58.

¹⁵⁰ Rothchild, D., "Ethnic Insecurity, Peace Agreements, and State Building", p.323, in *STATE, CONFLICT, and DEMOCRACY in AFRICA* edited by Richard Joseph Lynne, Reinner Publishers, Inc. 1999.

He also argues that as long as the state is able to guarantee these conditions, ethnic groups are going to feel secure about their relationship with the state. The state must ensure that the interests of these groups are represented in government, and that the state allocates resources to all groups.¹⁵¹ For example, in March 2000, members of the Botswana Democratic Party (BDP) were "...urged to be vigilant and guard against tribalism because it could destroy the nation...", because such tendencies being noted in various parts of the country.¹⁵² Vice President Seretse Khama Ian Khama, in his speech on the occasion of a BDP North West regional Congress, argued that there is nothing wrong with identifying oneself with a tribe in order to preserve cultural identity, but warned against using this to agitate for negative goals or divisiveness. He called on party members belonging, or sympathetic, to certain tribal associations to make sure that those groups promoted positive aspirations, admonishing that the "...nation not belong to anyone individual nor a specific tribe but to everyone else."¹⁵³

To ensure that the nation does not belong to "any one else" or "individual" is the essential task of the administration and all government, because to some extent, only its belonging to everyone ensures participation by the full citizenry.¹⁵⁴ Given an understanding of the significance of pre-existing historical conditions, some of the current drive to move African countries forward towards faster democratization changes may actually provoke open conflict or civil war. The only way to avoid these problems is to

¹⁵¹ Ibid., p. 323.

¹⁵² "Be Vigilant and Guard Against Tribalism, BDP members told," Daily News Online, p. 1, [<http://www.gov.bw/cgi-bin/news.cgi?d=20000328>]. March 28, 2000.

¹⁵³ Be Vigilant and Guard Against Tribalism, loc. cit.

¹⁵⁴ Simons, op. cit., p. 286.

work on achieving a consensus between all sides, with ideally, the newly grown democratic structure supported by members of the old elite as well as traditional chiefs.

Attempts to individualize all parts of life and grant individuals free choice to join a wide variety of entities and organizations, or rapid decentralization in order to support the development of a civil society, as has been described for the two former communist countries, might be even more difficult when there are pre-existing ethnic structures that run through all tiers of society, as with the traditional *morafe*. For example, the latest attempts of *Kgosi* Moshibidu to appoint Michael Gaborone, to be his deputy, without consulting the tribe, turned into a debacle because, as the Senior Chief's Representative, Moeti Gaborone pointed out, "...according to Setswana custom and tradition, *Kgoshi* Moshibidu should have met with them to identify his deputy."¹⁵⁵

Also, in the two examples of newly born democratic governments in Europe, it is obvious that one of the essential components of successful democratization is a country's economic transformation. In the case of Botswana, the state leadership realized that the establishment of effective and efficient institutional and administrative structures was one of the most important elements for the future development of the country. Nevertheless, as Holm comments, no matter how successful and genuine a liberal democracy Botswana has because it is still based upon:

...political domination by 'an educated mandarin class' of elite and prosperous civil servants who have co-opted the traditional authorities of

¹⁵⁵ "Batlokwa's Meeting to Appoint Deputy Chief Turn into Fiasco", Daily News Online, p. 1, [<http://www.gov.bw/cgi-bin/news.cgi?d=20000329>]. March 29, 2000.

Tswana society and rule in conjunction with the leaders of a dominant political party, while influence of organized labor is held to a minimum.¹⁵⁶

The traditional Tswana society consisted of eight "principal tribes." These tribes are represented in the upper chamber of the Parliament, the called House of Chiefs, which has limited power and is understood to be an advisory group. Other tribes and groups, such as the Basarwa "bushmen," Herero, Kalanga, Humbukush, Baloi, or Lozi are excluded from even this limited advisory role, but criticism is mostly heard from non-Setswana speakers.¹⁵⁷ If we remember from Chapter I, Zinner argued that one of the problems during the first Czech republic was a lack of cohesiveness and ethnic fragmentation that limited the country's overall stability. Ethnic fragmentation was not caused by the failure of the administration of newly built democratic institutions, but resulted from fact that these were applicable "...only to the Czechs - who constituted the largest single national element and played a dominant part in its government, but accounted not for more than half of the total population."¹⁵⁸ Although newly born Czechoslovakia was able to create a wide range of political parties in which all minorities could assert and express themselves, in the final analysis, it was the demands from these all minorities which helped to break down the first democracy.

Another problem which Botswana's government has had to face is corruption. As Acting Minister for Presidential Affairs and Public Administration, Tebelo Seretse, said:

¹⁵⁶ Holm, John D., "Development, Democracy, and Civil Society in Botswana", Cambridge, England: Polity Press, pp. 97-113 in Richard L., "African Politics: The next Generation." In Joseph, Richard, ed., *STATE, CONFLICT and DEMOCRACY in AFRICA*, p. 165, Lynne Reinner Publishers, Inc., 1999.

¹⁵⁷ US Department of State, Botswana Country Report on Human Rights Practices for 1997, Released by the Bureau of Democracy, Human Rights, and Labor, p. 2, [http://www.state.gov/www/global/human_rights/1997_hrp_report/botswana.html]. January 30, 1998.

"...increased criminal activities in the country in the past years is a result of the admirable economic growth that the country has been experiencing."¹⁵⁹ She also pointed out that the government has taken all the necessary steps to ensure the fulfillment of the 2016 Vision¹⁶⁰ despite the fact that white color crimes, such as money laundering, have recently increased. This has created pressure on the administration, especially the Attorney General's Chambers, which have had to draft and publish about 21 bills and 100 pieces of subsidiary legislation during the past 12 months. Despite what appears to be government activity on this front, the country has only a small number of bureaucrats and administrative bodies who devoted to the investigation corruption and other criminal activities.¹⁶¹ Rose Tsiane, an officer of the Directorate on Corruption and Economic Corruption, pointed out that her department was empowered to investigate full-scale corruption at all levels of administration, except that of the President. According to her, she says, "...corruption in the country is like AIDS because it destroys the country."¹⁶² The elected government has taken the responsibility for security into its hands, and therefore, has to deal with a lot of cases that had traditionally been solved by an old system based on traditional laws and responsibilities. Moreover, as Robert Klitgaard

¹⁵⁸ Zinner, op. cit., pp. 10-11.

¹⁵⁹ "Corruption can destroy economy", Daily News Online, p. 1, [<http://www.gov.bw/cgi-bin/news.cgi?d=20000310>]. March 10, 2000.

¹⁶⁰ Vision 2016 is designed to outline the strategic priorities the government must follow in order to build "...an economically secure nation, in which all citizens would be educated, healthy and economically active and enjoying a high rate of growth of per capita income." Gaolathe, B., "Budget Speech 2000", p. 2, Delivered to the National Assembly on 7th February 2000, Printed by the Government Printer, Gaborone, 2000.

¹⁶¹ "Increased Criminal Activities a Result of Admirable Economic Growth," Daily News Online, p. 1, [<http://www.gov.bw/cgi-bin/news.cgi?d=20000321>]. March 21, 2000.

¹⁶² "Corruption can destroy economy," op. cit., p. 1.

argues, the phenomenon of corruption has to be placed in a broader cultural perspective. According to former structures social customs, tribal and kingship loyalties, as well as former gift-giving, should override a bureaucrat's obligations to his public duties. Consequently, these can still influence the level of corruption and its persistence.¹⁶³ The existence of corruption creates demands on the government to suppress and eliminate these old traditions and patron-client ties in order to promote the feeling all citizens can solve their disputes through newly born democratic institutions, created and supported by the government.

Another important task lying in front of the government is to disseminate the laws so that the whole population is familiar with them and will support the legal framework based on the Constitution. The feeling of security that is provided by the government needs to be felt, not only inside the major populated areas, but also in more remote areas and less developed villages. Despite the fact that Botswana's Constitution respects "every person's" rights based on the presumption of innocence it is very hard to obtain legal assistance in rural villages in particular due to poor communications and lack of police training. Because the government is not able to guarantee these functions, except in capital cases, the very limited legal support is provided free of charge by two non-governmental organizations: the University of Botswana Legal Assistance Center and the Botswana Center for Human Rights.¹⁶⁴

Some citizens recognize and decry these limitations. For instance Barolong MP Ronald Sebrege claimed that in cases of road accidents the system does not sufficiently

¹⁶³ Klitgaard, R., *Controlling Corruption*, pp. 58-59, University of California Press, Ltd., 1998.

¹⁶⁴ US Department of State, *op. cit.*, p. 2.

support citizens who cannot afford to pay lawyers, while the Gaborone North MP noted that, "...justice delayed its justice denied'." Bobirwa MP James Maruatona contended that "...the reason why the government continued to experience a shortage of Botswana magistrates and judges was because they were not paid well. He also added: "...foreigner magistrates and judges did not know Setswana culture and norms and thus could not identify cattle by colors."¹⁶⁵ Yet most positions in the legal system are still filled by foreigners who do not necessarily understand the local knowledge.

In countries undergoing democratization and civil society development, Non/Governmental Organizations (NGOs) usually play a very important role in creating and supporting at the grassroots. Sometimes these organizations become negotiators not only with governments, but also with the many other international entities that economically and financially support developing countries. However, the centralized nature of government institutions often limits their work in order to eliminate a direct influence on the spread of democratic values to citizens, as well as to keep the NGOs' programs in the hands of the government. In other words, some African countries governments purposely limit and restrict NGO activities, especially if these organizations are from foreign countries. In Botswana's case, NGO influence depends on "the issue, the government ministries involved and the individuals."¹⁶⁶ The most accepted NGOs are usually organizations that support and provide aid, such as health care, or education. In Botswana, as Erica Burman argues:

¹⁶⁵ "Increased Criminal Activities a Result of Admirable Economic Growth", Daily News Online, p. 1, [<http://www.gov.bw/cgi-bin/news.cgi?d=20000321>]. March 21, 2000.

¹⁶⁶ Burman, op. cit., p. 2.

...the government was able to accept aid on its own terms because of Botswana's relative prosperity, limiting the influence of international NGOs and ideas that they transmit. By African standards it has effectively serviced communities, obviating the 'gap filling' role played by NGOs in other countries, or co-opting NGO grassroots initiatives when they occur. A system of traditional community meetings, known locally as kgotlas, and a pluralistic political system have ensured the basic responsiveness of the government to citizen concerns. This together with cultural norms that are suspicious of adversarial group politics, have often made NGOs superfluous to the policy making process. Finally, the centralized bureaucracy and high degree of authority placed in the hands of a civil service elite puts NGOs at a disadvantage in terms of substantive participation with government. NGOs are often made part of the process after the real decisions have been reached. Together these factors have worked to limit the role of NGOs in society.¹⁶⁷

D. ACTUAL SITUATION AND OUTCOME

Many authors consider Botswana a good example of a country with continuous economic growth and development of its democratic structures since independence. John W. Harbeson credits the multiparty system of 13 political parties.¹⁶⁸ Richard Joseph, another author, brings up Botswana's exceptional economic growth and performance. He describes how Botswana was able to keep its average annual growth of 14.5 percent from 1970, and 9.6 percent from 1980 until 1993.¹⁶⁹ For Samatar Botswana's success as an "...interventionist state is responsible for the country's economic transformation. In Botswana state agencies dominate major sectors of the economy, such as housing,

¹⁶⁷ Burman, loc.cit.

¹⁶⁸ Harbeson W. John, "Centralization and Development in Eastern Africa", p. 174, ed. in Wunsh S. James, Olowu Dele, *The Failure of the Centralized State, Institutions and Self-Governance in Africa*, Westview Press, Inc., 1990.

The author presents and elaborates the phenomenon of over centralization in most of the African countries in his essay and he tries to point out variables that plays an important role in authoritarian governments

¹⁶⁹ Richard, Joseph, *STATE, CONFLICT and DEMOCRACY in AFRICA*, Lynne Rienner Publishers, Inc., 1999

industrial investment, transport, communication, education, livestock, agriculture, and mining."¹⁷⁰

Even with all this success, the latest Botswana's government figures indicate that the government may need to encourage more equitable allocation of resources. The Minister of Finance has said, "...at independence, government found it worthwhile to perform numerous functions that the private sector could not do with ease." Nevertheless, he cites other objectives privatization could achieve, such as competition promotion, productivity, stimulation of entrepreneurship and investment, with the ultimate view of trimming the civil service.¹⁷¹ The government understands, that the further development of democratization goes in hand with these economic reforms, and satisfaction with the economy determines the further development of civil society. Nevertheless, the state remains the biggest guarantor of projects essential for ensure all groups that the state will more or less funnel resources to all parts of the country. This is why the Minister of Finance emphasizes that he does not want to see radical structural changes in the centralized economy.¹⁷²

These economic changes will certainly raise questions regarding the status of civil servants. Civil servants feel their status and needs to be ensured. That is why members of the Selebwi-Phickwe branch of the Botswana Civil Service Association (BCSA) have requested that the government allow them to engage in businesses, as well as to better train them for the future. Until now, civil servants were permitted involvement in

¹⁷⁰ Samatar, op. cit., p. 15.

¹⁷¹ Gaolathe, Baledzi, Minister of Finance and Development Planning, "Privatization to be undertaken with Botswana's interest and heart," Daily News Online, p. 1, [<http://www.gov.bw/cgi-bin/news.cgi?d=20000329>].

agricultural businesses only, which they argue, are too time-consuming. Also, they argue that their engagement in private businesses could help the government solve the problem of unemployment, because if they can start and run their businesses. This will create many opportunities for others.¹⁷³ This was one of the issues raised during of the transition period; to determine and decide how civil servants may be involved in businesses. It raised to many questions related to the effectiveness of underpaid administrative workers who focused themselves more on their living situation than on their everyday tasks. In the case of Botswana, this question is particularly complex since these civil servants, together with politicians, make up significant element in the centralized state bureaucracy.

It is essential that the Botswana's government support the further development of civil society, as this provides an important base for fostering civic activities and civic-mindedness. What must be borne in mind is that the state still has problems fulfilling its development programs in remote rural areas. Patience is required. Also, there should be no "non-sensitive pushes" from Western governments. The concept of civil society and its role in the democratization process still depends on the ability of the state to ensure that all citizens can openly display their individual interests and desires without entirely loosing their traditional safety net and sense of security. At the same time, despite enormous economic growth presented by a variety of institutions, the distribution of wealth is still very skewed Botswana. Therefore, to call externally for faster reforms and

¹⁷² Gaolathe, loc. cit.

¹⁷³ "Civil servants want to start businesses," Daily News Online, p. 2, [<http://www.gov.bw/cgi-bin/news.cgi?d=20000306>].

changes could well impact the development of democracy and its stability in a negative way.

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V. KENYA

A. BACKGROUND AND HISTORICAL INFORMATION

As Angelique Haugerud¹⁷⁴ argues in her book, *The Culture of Politics in Modern Kenya*, clear borders among communities and ethnic groups did not exist in pre-colonial Kenya. Overtime distinct emerged as a result of individuals reacting to changes relating to trade, slavery, local wars, drought and other events. Therefore, traditionally, borders and boundaries within societies can be said to have been flexible.¹⁷⁵ As in many pre-colonial African societies were often land rich and labor poor which, to some extent, meant most people could be guaranteed security, and prosperity. Not even the process of labor migration created an inbalance of power or wealth.

Instead, wealth was limited by traditional storage capabilities and was allocated through traditional ties and ceremonies. Although important, wealth did not play an important role in everyday community life because both wealthy individuals and the poor still depended on security that was provided through the traditional decision-making system of the community at large, based, for example, on a council of elders.¹⁷⁶

¹⁷⁴ Angelique Haugerud analytically describes the social and political development of the modern Kenya.

¹⁷⁵ Haugerud, Angelique, *The Culture of Politics in Modern Kenya*, pp. 115-117, Cambridge University Press, 1993.

¹⁷⁶ Ibid., pp. 117 and 122.

B. EFFECT OF COLONIALISM ON THE SOCIETY

As in all African countries, colonialism brought many changes to the structures of traditional communities, and reshaped social structures that had been developed, balanced and maintained for many centuries. The balances of wealth, power and influence were limited not only by traditional structures, but also by ongoing interactions with others with whom these communities had dealt for many decades. The British intentionally disrupted this. First, in order to maintain colonial rule, they emphasized distinctions and divisions between communities and entities. Moreover, to reinforce their control, British colonial authorities began to introduce and support new local chiefs who did not necessarily have the same power as traditional authorities backed by the councils of elders.¹⁷⁷

Secondly, as Angeulique Haugerud argues, colonialism generated new social categories for members of the local population. Educated by European missionaries, people became a part of local administrative bodies. Education created a new kind of elite. One could become a "*reader*." ¹⁷⁸ Together with newly appointed chiefs, readers became the backbone of colonial rule in Kenya.

Not only did the possibility of accumulating wealth and power by working with the British lead to local competition, but also ethnic competition as these new leaders sought to guarantee themselves control over traditional resources as well as administrative positions.¹⁷⁹

¹⁷⁷ Ibid., p. 177.

¹⁷⁸ Ibid., p. 123.

Moreover, the new environment, influenced by demands for labor, changed not only the flow of labor, but also traditional pathways of trade in order to accommodate and satisfy demands of the new colonial administration. Labor migration directly harmed not only the natural stability of regions, but also the traditional exchange of commodities necessary for survival during natural crises, or famines.¹⁸⁰

Another effect on traditional societies was the reinforcement of traditional patron-client ties that helped British colonial authorities to manage all these social entities. This created ongoing pressure and competition among traditional chiefs to obtain better access to resources, and to some extent, wealth and progress, which the colonists brought to their territories. For example, in some African countries, redistribution of collected taxes not only directly profited the colonial administration, but also secondary chiefs who were responsible for the level of taxation and its final delivery to the administration.

The traditional balance of wealth among communities, based on internal and external factors, as described above, created vertical cleavages in these societies that continue to be a very important factor in the further development of democracy in African countries today. Haugerud argues that memories and sentiments about this new, cumulative form of wealth are still alive and are very sensitive for anyone seeking to adhere to traditions. She calls these and other memories, "political explosive sentiments",¹⁸¹ many of which are invoked. In Kenya, especially, these are tied to with the bloody

¹⁷⁹ Ibid., pp. 123-124.

¹⁸⁰ Ibid., p. 125.

¹⁸¹ Ibid., p.45.

anti-colonial 'Mau Mau' ¹⁸² rebellion.¹⁸³ Another important changes, as Mwai points out, have to do with new ownership and the status of land. Traditional ownership of land, which was after colonial, was reshaped by colonial state, which favored the private ownership of lands. These ownership changes caused, as Mwai argues, the "disintegration of Kenya's community structure."¹⁸⁴ Overall, colonialism brought many changes to Kenya's traditional society. Traditional balances between communities living in this area were disrupted and reshaped into "suitable colonization administrative structures." As in many African countries, changes to traditional land ownership, labor migration, disproportionality in the accumulation of wealth, the dismantling and weakening of traditional decision-making procedures, the consolidation presenting of new or reinforced old elites, as well as changes to clientelism, presented Kenyans with many new challenges and problems with which they are still having to deal.

C. DEVELOPMENT OF CIVIL SOCIETY

Although, Kenya gained its independence from the British crown in 1963, it did not necessarily obtain "full independence." For the most part, the economy and other important sectors were managed by foreigners and by members of the old elite. Nevertheless, one of the most important changes occurred in 1978, when President

¹⁸² Living memories of Mau Mau are still open wounds in the society. According to Bill Berkeley, the Mau Mau insurgency against the British "...11,000 guerillas were killed in that war, and thousands more were detained and tortured, or displaced to horrific concentration camps, where many died. (The Mau Mau, for their part, killed only ninety-five whites, including thirty-two civilians. Nearly, all those involved in the Mau Mau struggle were Kikuyu, and Kikuyu)." Berkeley, B. , "An Encore for Chaos?," *The Atlantic Monthly*, Foreign Affairs, page 11, February 1996, [<http://www.theatlantic.com/issues/96feb/africa/africa.htm>].

¹⁸³ Haugerud, op. cit., p. 45.

¹⁸⁴ Mwai, Wangechi, "Kenya, History and evolution of the civil society," p. 2, FAMA Resources Ltd. [<http://www.civicus.org/kenya.html>].

Jommo Kenyatta died. The president's former vice – president, Daniel arap Moi, inherited the office.¹⁸⁵ This change of leadership immediately started an era of new changes in the government, because the new president preferred administration by the small Kalenjin ethnic group. The Kenya African National Union (KANU) not only became Moi's "preferred" political party, but the only party allowed in what became a one-party system. Civic and political organizations, as well as networks of patronage that had been created by other ethnicities in the previous government were dismantled.

These changes immediately influenced the networks of cooperation which had been established during the lengthy Kenyatta presidency. There were a lot of negative consequences not only for organizations, but also for individuals. Some organizations regrouped to work, de facto, in opposition to the single party government.¹⁸⁶

As Ndegwa points out, in 1990, the government enacted the NGO Coordination Act, which aimed of reducing the involvement of NGOs in Kenya. The Act was designed to allow the government effectively monitor and control NGOs' activities. Despite the intentions of the "new single party centralized regime", NGOs continued encourage the development of grassroots communities seeking social, political and economic change. Moreover, one unintended consequence of this legislation was to shrink the NGOs' involvement to pure development and modernization.¹⁸⁷

¹⁸⁵ "President Daniel arap Moi entered Parliament in 1955. He spent almost 45 years in active politics. Kenya -Elections: President Moi Starts his Final Lap," World News, p. 2, [<http://www.oneworld.org/ips2/jan98/kenya.html>]. 5 January 1998.

¹⁸⁶ Ndegwa N. Stephen. *The Two Faces of Civil Society, NGOs and Politics in Africa*, pp. 26-27, Kumarian Pres, Inc., 1996.

¹⁸⁷ Ibid., pp. 22-25.

There were many open clashes and disputes concerning human rights abuses, and political repression through 1990s. Angelique Haugerud describes Moi himself drawing "creative parallels," with the plight of other countries, which were abandoning single party rule. For instance he claimed "...Eastern Europe is in chaos"¹⁸⁸ as well as "...opponents were out to destabilize the country, and that 'women and children would suffer most in the event of chaos'."¹⁸⁹ There is no doubt that Communist elites in Eastern Europe used almost the exact same arguments in order to support further repression against oppositions in their countries.¹⁹⁰ This kind of labeling, supported by the media and propaganda, usually played an important role in Communists' maintenance of *de facto* single party rule order. Labeling also played an important role in breaking down civic activities at the grassroots. Since most NGOs provide services through programs at the grassroots level many centralized regimes were, and are, anxious about the influence of NGOs working in their country. As in post-communist countries, attempts to stabilize of *de facto single party rule* provoked by many open clashes, political trials, repression and executions. Moreover, in countries with a high level of ethnic and political fragmentation, internal conflicts could easily spill into ethnic conflict or civil war.

Another similarity might be drawn from, and seen, in Moi's arguments and speeches blaming Western governments for the increase in clashes and disputes between the government and the opposition. Angelique Haugerud quotes various statements from Kenya's newspaper and Moi's speeches, for example, "...`Shut up, Mr. Ambassador!'"(The

¹⁸⁸ Haugerud, op. cit., p. 27.

¹⁸⁹ Haugerud, loc. cit.

U.S. one)¹⁹¹...." and such as " 'foreign masters' were behind the political protests..."¹⁹²

Such manipulation of the population has many negative impacts. Anna Simons argues in her essay about democratization and ethnic conflict, "...conditions of insecurity and lack of individualization do worse than go hand in hand. The more entrenched both become the more circular people's thinking, and the likelier it is that fear and concern about future *individual* social welfare will compel people to react, without thinking, according to how they can (already) be grouped."¹⁹³ Similarly, as the clinical psychologist, Růžicka, argues, in conditions of long-lasting repression caused by the centralized power of the state, how people group cannot be described sociologically, but mostly psychologically.

Under conditions of insecurity created by the Communist centralized power-via repression, clashes, political trials, executions, the power of the secret police etc.- Czechs and Poles responded similarly. During the Communist era, many people tended to regard their family as representing security in the face of repression as well as a possible means for going access to scarce state resources. Using sentences such as, " Our relative or our cousin can help you to get there, because he holds a good administrative position, or he is a member of the *nomenclatura*...", were very often the only way to manage access to a special medical facility, university, college or other source of special services. Individualism, in this environment, was intentionally suppressed in order to keep and

¹⁹⁰ See Chapter I, Prague Spring events in 1968.

¹⁹¹ The U.S. ambassador, Smith Hempstone, was seen as an open supporter of opposition groups and factions. "Hempstone was a vociferous critic of Moi's regime." Berkeley, B. , "An Encore for Chaos?," *The Atlantic Monthly*, Foreign Affairs, p. 13, [<http://www.theatlantic.com/issues/96feb/africa/africa.htm>]. February 1996.

¹⁹² Haugerud, op. cit., p. 32.

¹⁹³ Simons, op. cit., p. 249.

maintain Communist power and influence. To some extent, there are parallels with what occurred in Africa. If the state is not able, or does not want, to equally provide resources for its own citizens, they have to find access by some other means, and usually will "rediscover" in of their traditional ties (family, clan, extended family, tribe etc).

Another source that might provide resources is usually the NGOs, although these organizations are at the mercy of state administrative decisions, and therefore, may not only be restricted in their work, but can also be banished from the country.¹⁹⁴

For the scope of this research, the total number of organizations in a country is not particularly important, but how the state "tolerates, influences and manages" these organizations is important. As in many other African countries, government plays a critical role terms in controlling NGOs (...or CSOs [Civil Society Organizations])¹⁹⁵ operating in Kenya. Despite the fact that these organizations provide 18% of all official aid, they have to overcome many obstacles put in their way by the regime. For example as Mwai describes:

For any CSO to operate in Kenya, it must first be registered with NGO council, a provision provided for under the NGO act of Kenya. Within the same NGO council is a Regulatory Committee, composed of elected members of registered civil society. Their task is to recommend the registration of any new CSO to a **board, constituted by the government and staffed with government representatives, and review the conduct of registered CSOs and recommend their registration be revoked when necessary. It is interesting to note that the board did not meet this year [1998], therefore no new CSOs will be registered this year** [Bold mine].¹⁹⁶

¹⁹⁴ For drawing parallels I do not elaborate more NGOs that some of these functions provide in African societies.

¹⁹⁵ Author mentioned that there are some discrepancies in qualifying organizations as NGOs or CSOs.

¹⁹⁶ Mwai, Wangechi, "Kenya, Legal, Regulatory and Tax Issues," p. 6, FAMA Resources Ltd., [<http://www.civicus.org/kenya.htm>].

The regime carefully screens and guards against organizations that may not necessarily tow the government line. Individualization and the grouping of individuals into many different kinds of organizations, or even clubs, as described in Chapter I, cannot occur, given the state's attempts to "non-visibly" silence all opposition voices and establish better control over all parts of the society.

It is interesting that although the repression by Moi's party has continued for many years, the centralized regime has never been able to break down the opposition's demands for the return of political pluralism. International and domestic pressure as well as the slowly approaching collapse of the economy forced Moi to allow legalization of opposition parties for an election to be held in December 1992. The elections occurred, but they did not satisfy the opposition. Too many political parties reflected a high degree of political fragmentation and, as a result, they were not able to diminish KANU's domination of the country. Even after the "democratic elections", Moi's attempts to fight any kind of opposition were evident in all spheres of Kenya's political life. Signs of Moi strong-arm tactics were everywhere.¹⁹⁷

After almost a decade, Moi's tactics still have not changed. Kenya's democratic opposition has had to endure many open clashes, killings and arrests. As the executive director of the Human Rights Commission (KHRC), Maina Kiai, said in a phone-interview, "...The government has abdicated its responsibility to protect the lives of

The author talks further about revoked registrations especially of Islamic groups under the special laws in some provinces.

¹⁹⁷ Opala, Ken, "Are Arap Moi's Days Are Numbered?" Electronic Mail & Guardian, p. 3, [<http://www.mg.co.za/mg/news/97jul1/10jul-kenya.html>]. 11 July 1997.

Kenyans and has instead sanctioned extra-judicial killing under the guise of maintaining law and order." ¹⁹⁸

D. ACTUAL SITUATION AND OUTCOME

The further development of Kenya's civil society is strongly influenced and limited by the long-lasting KANU party. During the elections in December 1997, the political opposition was not able to muster sufficiently strong support for their candidates. Therefore, Moi remains in office until 2002. Also, Moi's KANU political party won 109 seats, which is more than half of the parliamentary seats. Other political parties, such as the Social Democratic Party, the Liberal Party of Kenya and the Economic Independent Party, were not able to obtain enough seats in Parliament to create a stronger political opposition.¹⁹⁹ At the same time, conclusions can be drawn about why opposition parties remain very fragmented. These parties have little support from the citizenry. Also, some opposition political parties still depend on support from single ethnic groups. This was the problem, for example, with the Liberal Party of Kenya and explains why its candidates could not draw as much support as KANU did throughout the country.²⁰⁰

Overall, the further development of civil society will be stunted in Kenya so long as the environment remains one in which those in power openly fight any opposition elements and groups. In an environment in which human rights violations, the loss of freedoms, manipulation of justice, abuse of power, political trials, killing, clashes etc., are everyday events, it is very hard to talk about a satisfactory transition to democracy.

¹⁹⁸ Ngunjiri, Philip, "Kenya Police Under Fire For Killing Protesters," *Electronic Mail & Guardian*, p. 2, [<http://www.mg.co.za/mg/news/97jul1/10jul-kenya.html>]. 9 July 1997.

¹⁹⁹ "Kenya -Elections: President Moi Starts His Final Lap," *World News*, pp. 1-2, [<http://www.oneworld.org/ips2/jan98/kenya.html>]. 5 January 1998.

Insecurity, economic development slowed down by instability, and poor redistribution and allocation of state resources²⁰¹ are further impediments that go hand-in-hand with Moi's " president-for-life" regime. The present situation will probably continue until his last days in office.

²⁰⁰ World News, loc. cit.

²⁰¹ Mwai, op. cit., p. 7.

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VI. CRITERIA FOR THE SUCCESSFUL BUILDING OR RESTORATION OF CIVIL SOCIETY

In comparing four countries and their varying degrees of success in building, or restoring, a democratic civil society I have sought to highlight the most difficult challenges faced during the transition to democracy. I would now like to focus on possible areas that are essential for the development of such a strong democratic civil society being in mind that, as Nancy Thede argues. "Civil society may exist without democracy, but democracy cannot exist without a strong civil society."²⁰²

First, I have to point out eleven important obstacles that, in my opinion, play a major role in shaping development of toward a civil society. These obstacles emerge from my study of the Czech republic, Poland, Botswana and Kenya as they sought to build or transition to democracy.

1. Pre-existence, as well as the power of the traditional decision-making structures inside ethnically fragmented populations.
2. Political elite based on one ethnicity has been ruling the government without wide consensus from the other ethnic groups or minorities and its members occupy all essential administrative posts and institutions as well as regulate the allocation of resources.
3. Long-lasting insecurity caused by many factors such as civil wars, political trials, executions, and overall, human rights violations.

²⁰² Thede, N., "The Democratic Development Exercise", p. 3, [<http://www.ichrdd.ca/111/english/commndoc/publications/ddfwkeng.html>]. July 1996.

4. Pre-existing limitations on individualization based on the traditional culture, religion, tribe, extended family or other traditional social entities that undermine any kind of racial or gender equality.
5. Pre-existence of strong or weak relations between the Church and citizens, or the State and the Church.
6. Distance in time from the last democratic regime, or the existence of any democratic practices in the history of the country.
7. The level of well-being and sense of social welfare security and the overall economic development of the country (infrastructure, health care, schools, labor and other indicators) left behind by the previous regime.
8. Corruption is a wide spread social or cultural phenomenon allowing individuals access to the state's resources.
9. Internal and external isolation of the country from activities of international institutions, NGOs and other entities that were not in favor of the former regime.
10. Regime persecutes or deports intelligentsia in order to silence the society.
11. Highly centralized government redistribution and allocation of welfare, which does not leave any space for the local authorities to be involved in this process.

These are some of the obstacles that, in my opinion, affected civil society development and which need to be taken into account before any democratization attempts are initiated. These obstacles are not mutually exclusive, and they can positively or negatively influence attempts and approaches to build or restore democratic society. In the extreme case they can diminish and dismantle any attempts made toward democratization.

Thomas Carothers also points to the importance of conditions in his analytical work, *Aiding Democracy Abroad*. He calls these “non-political factors of democratization.”²⁰³

The dramatic outbreak of democratic transitions around the world at the start of the 1990s fed this view. The mixed experience of those transitions over the 1990s, however, **has brought democracy promoters back to earth.** [bold mine] It is clear that countries with no history of democracy, with desperate economic conditions and powerful internal divisions, are having a much harder time making democracy work than countries with some pluralistic traditions, a growing economy, and a cohesive social and cultural make up.²⁰⁴

The more difficult question seems to be on which bases . . . qualitative or quantitative . . . can these obstacles can be measured or qualified. An interesting approach, has been developed by Nancy Thede with her colleagues who, in the “Democratic Development Exercise,” evaluate democratic transitions according to a evaluation scale consisting of international declarations, conventions, agreements and laws which are (or are not) applied by the government during the democratization process.²⁰⁵ Yet, by measuring the development of civil society on the basis of agreements or laws we may miss many other issues that are important for the full development of civil society.

Václav Havel, President of the Czech Republic, has noted:

...civil society is an intricately structured, very fragile, sometimes even slightly mysterious organism that grew for decades...;therefore, can not be restored by any single act from above, such as a law, a directive or a decision of the political leadership.²⁰⁶

²⁰³ Carothers, Thomas. *Aiding Democracy Abroad, The Learning Curve*, p.114, Carnegie Endowment for International Peace, 1999.

²⁰⁴ Carothers, loc. cit.

²⁰⁵ Thede, op. cit., pp. 16-19.

According to Thede, democratic civil societies are characterized by at least three important characteristics: “ civil associations are politically independent of the State, a culture of tolerance and dialogue prevails, and all adult men and women have equal political rights, and, among them, the right to choose and reject governors.”²⁰⁷ But these characteristics do not fully or sufficiently reflect other important characteristics of the democratic state that hold it responsible for creating conditions necessary for the further development of democratic civil society. Because of the aims of my research, it would not be appropriate to exclude other important elements from the evaluation of development of the civil society; e.g., liberalization, privatization, further transition of some responsibilities to local administrations, and others.

Consequently, drawing from the four cases described in previous chapters, my criteria for evaluating the successful building or restoration of democratic civil society can be grouped into the following four categories:

Category I

Protection of individuals and security of citizens:

- Human rights are not violated.
- Legal protection is guaranteed to all individuals living inside the country.
- Government administration remains impartial and does not belong to any leading or former regime group, or ethnic group that avails itself of any already established or newly created channels of clientelism.

²⁰⁶ Havel, V., “A Speech by Václav Havel, President of the Czech Republic, on the Occasion of ‘Václav Havel’s Civil Society Symposium’,” p. 1, Macalester College, Minneapolis/St. Paul, USA, [http://www.hrad.cz/cgi-bin/toASCII/president/Havel/speeches/index_uk.html]. April 26, 1999.

²⁰⁷ Thede, op. cit., pp. 16-19.

- Freedom of association with groups, unions, organizations, churches, or clubs is not restricted, and the government fully protects rights of individuals regarding free association and grouping.

Category II

Role of Democratic Political Parties:²⁰⁸

- Parties aggregate and articulate the interests of citizens.²⁰⁹
- Parties structure electoral competition and shape the political landscape.²¹⁰
- Parties provide politically coherent groups to run the government²¹¹
- Parties do not start distancing themselves from, do not hide internal scandals, and do not attempt to alter through harassment the democratic political culture.
- Opposition transforms its tasks into political parties' goals and as not position itself into "anti-politics approach".
- Parties and their leaders are not hostile toward further empowerment of the civil society development and do not see its importance for the stability of the future democratic society.
- Parties' leadership is not based mostly on former elite that accommodates itself inside the administration, which leads citizens to doubt the trustworthiness of real democratic changes.

²⁰⁸ Carothers argues that political parties play an important role in democracy promotion and he determines at least three important roles that political parties have to play.

²⁰⁹ Carothers, *op. cit.*, p.142.

²¹⁰ Carothers, *loc. cit.*

²¹¹ Carothers, *loc.cit.*

Category III

Non-governmental Organizations:

- Existence of a statute or act that guarantees NGOs can work on the tasks for which they accept responsibility.
- The state does not limit or restrict NGOs' operations through some kind of "bureaucratic procedural sieve" or create an environment in which these organizations are not able to sustain work toward their basic goals.
- The state provides budgetary support for non-profit organizations in order to ensure their ability to function.
- Non-profit organizations are able to draw financial support from multiple kinds of resources.

Category IV

Role of the State:

- Delegations of certain functions of the state to other entities, in which the state continues playing the role of guarantor, but does not directly perform all tasks. (Social welfare, environment protection, education and others)²¹²
- Decentralization of the state, in order to support lower democratically elected representative bodies that allocate their funds more efficiently because of better knowledge of local needs.²¹³

²¹² Havel, op. cit., p. 2.

²¹³ Ibid., p. 3.

- Support of associations that are not directly concerned with business or profit, in which people may display their wide variety of interests.²¹⁴
- The state and its representatives do not manipulate non-profit organizations for their own political goals.
- Existing tax deductions that support non-profit organizations can be done in order to ensure another source of financing.
- Democratic Constitution (Western European or American models might serve as good prototypes, but these do not have to be “copied” without taking into account local pre-conditions and differences which existed before the transition.)
- Fully free parliamentary elections occur regularly, without any manipulation.
- The state provides for further economic change, such as privatization or liberalization, in order to ensure citizens’ ownership rather than centralization of the economy
- The state uses the education to further citizens’ understanding of the democratic role of civil society and explains to citizens their essential responsibilities in this process.

The criteria mentioned above should serve as an important tool for analyzing the degree of change inside a society at the beginning of, or during, the democratic transition. In the following chapter, I will use these to assess the development of democratic civil society in the four countries that have been the subject of this thesis.

²¹⁴ Havel, loc. cit.

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VII. ASSESSMENT OF TRANSFORMATION IN SELECTED COUNTRIES

The criteria have been developed and ranked into four basic categories: Protection of individuals and security of citizens,

- I. Protection of Individuals and Security of Citizens
- II. Role of democratic political parties,
- III. Non-governmental organizations,
- IV. Role of the state.

These might be used to evaluate or assess the level of democratic change inside any country. However, these criteria should not be presumed to be mutually exclusive, and each may be critical to the development of a democratic civil society. These criteria are intended to be used to assess an environment in which democratic civil society can grow and, consequently, empower and strengthen a newly born democracy. The assessments were made based on my research into the processes by which democracy has been developed in four countries, which are the subject of this thesis.

My knowledge of these countries are based on multiple sources including books, publications, discussions with selected people, and in the case of the Czech Republic, on my personal knowledge.

The differences I found between the four countries were sufficient for me to be able to make three level judgements (high, medium, and low) on the 24 criteria listed on pages 98-102. The results of my assessment are presented in Table I-IV.

A useful extension is to explore the quantification of these assessments by the following assumptions: Let LOW=1, MEDIUM=2 and HIGH=3. By this means the

average score for each of four categories can be calculated. The results are shown in Table V.

Table I: Protection of Individuals and Security of Citizens (Cat. I)

Criteria/Country	Czech Republic	Poland	Kenya	Botswana
Human rights are not violated.	<i>High</i>	<i>High</i>	<i>Low</i>	<i>High</i>
Legal protection is guaranteed to all living inside the country.	<i>High</i>	<i>High</i>	<i>Low</i>	<i>Medium</i>
Government administration remains impartial and does not belong to any leading or former regime group, or ethnic group that ovals itself of any already established or newly created channels of clientelism.	<i>High</i>	<i>High</i>	<i>Low</i>	<i>Medium</i>
Freedom of associations with groups, unions, organizations, churches, or clubs is not restricted and fully protects rights of individuals for free association, and grouping.	<i>High</i>	<i>High</i>	<i>Low</i>	<i>High</i>

Table II: Role of Democratic Political Parties (Cat. II)

Criteria/Country	Czech Republic	Poland	Kenya	Botswana
Parties aggregate and articulate interests of citizens.	<i>Medium</i>	<i>Medium</i>	<i>Low</i>	<i>Medium</i>
Parties structure electoral competition and shape the political landscape.	<i>High</i>	<i>High</i>	<i>Low</i>	<i>Medium</i>
Parties provide coherent political groupings to run the government.	<i>High</i>	<i>High</i>	<i>Low</i>	<i>Medium</i>
Parties did not start distancing themselves from citizens, do not hide internal scandals, and do not attempt to alter through harassment the democratic political culture.	<i>Medium</i>	<i>High</i>	<i>Low</i>	<i>Medium</i>
Opposition transforms its tasks into democratic political parties' goals and as not position itself into "anti-politics approach".	<i>High</i>	<i>High</i>	<i>Low</i>	<i>High</i>
Parties and their leaders are not careful to empower the civil society development and do not oversee its essential role.	<i>Medium</i>	<i>Medium</i>	<i>Low</i>	<i>Low</i>
Parties' leadership isn't based mostly on former elite that accommodates itself inside the administration, which leads citizens to doubt the trustworthiness of real democratic changes.	<i>Medium</i>	<i>Medium</i>	<i>Low</i>	<i>Medium</i>

Table III: Non-governmental Organizations (Cat. III)

Criteria/State	Czech Republic	Poland	Kenya	Botswana
Existence of a statute or act that guarantees NGOs can work on the tasks for which they accept responsibility.	<i>High</i>	<i>High</i>	<i>High</i>	<i>High</i>
The state does not limit or restrict NGOs operations through some kind of "bureaucratic procedural sieve" or create an environment in which these organizations are not able to sustain work toward their basic goals	<i>High</i>	<i>High</i>	<i>Low</i>	<i>Medium</i>
The state provides budgetary support for non-profit organizations in order to ensure their ability to function in the society.	<i>High</i>	<i>High</i>	<i>Low</i>	<i>Medium</i>
Non-profit organizations are able to draw financial support from multiple kinds of resources.	<i>Medium</i>	<i>Medium</i>	<i>Low</i>	<i>Low</i>

Table IV: Role of the State (Cat. IV)

Criteria/Country	Czech Republic	Poland	Kenya	Botswana
Delegations of certain functions of the state to other entities, in which the state continues playing the role of guarantor, but does not directly perform all tasks. (social welfare, environment protection, education)	<i>Medium</i>	<i>Medium</i>	<i>Low</i>	<i>Low</i>
Decentralization of the state, in order to support lower democratically elected representative bodies that allocate their funds more efficiently because of better knowledge of local needs.	<i>Medium</i>	<i>Medium</i>	<i>Low</i>	<i>Low</i>
Existing tax deductions that support non-profit organizations can be done in order to ensure another source of financing.	<i>High</i>	<i>High</i>	<i>Low</i>	<i>Low</i>
Support of associations that are not directly concerned with business or profit, in which people may display their wide variety of interests.	<i>Medium</i>	<i>Medium</i>	<i>Low</i>	<i>Low</i>
The state and its representatives do not manipulate non-profit organizations for their own political goals.	<i>High</i>	<i>High</i>	<i>Low</i>	<i>Medium</i>
Democratic Constitution (remark: Western European or American models might serve as a good prototypes of the Constitution, but these do not have to be "copied" without taking into an account local pre-conditions and differences which existed before the transition.)	<i>High</i>	<i>High</i>	<i>High</i>	<i>High</i>
Fully free parliamentary elections occur regularly without, any manipulation.	<i>High</i>	<i>High</i>	<i>Low</i>	<i>High</i>

Criteria/Country	Czech Republic	Poland	Kenya	Botswana
The state uses the education system to further citizens' understanding of the democratic role of civil society and explains to citizens their essential responsibilities in this process.	<i>Medium</i>	<i>Medium</i>	<i>Low</i>	<i>Low</i>
The state provides for further economic change, such as privatization or liberalization, in order to ensure citizens' ownership rather than centralization of the economy.	<i>High</i>	<i>High</i>	<i>Low</i>	<i>Medium</i>

Table V: Summary Average Ratings Through the Developed Categories

(High – 3 points, Medium – 2, Low – 1)

Category	No. of criteria	Czech Republic	Poland	Botswana	Kenya
I. Protection of Individuals	4	3.0	3.0	2.5	1.0
II. Roles of Democratic Political Parties	7	2.6	2.4	2.3	1.0
III. Non-governmental Organizations	4	2.8	2.8	2.0	1.5
IV. Role of the State	9	2.6	2.6	1.6	1.2
Average Summary of Categories		2.8	2.7	2.1	1.2

This exploratory quantification allows us to see the summary of the average for each of four countries. The results indicate the level of development of democratic civil society shown by the Czech Republic-2.8, Poland-2.7, Botswana-2.1 and Kenya-1.2.

VIII. SCALE OF THE OBSTACLES AND THEIR CORRELATION WITH SUCCESS OR FAILURE OF THE PROCESS

Table VI: Summary of obstacles

Obstacle / Country	Czech Republic	Poland	Botswana	Kenya
Pre-existence, as well as the power of the traditional decision-making structures inside ethnically fragmented populations.	<i>NA</i>	<i>NA</i>	<i>High</i>	<i>High</i>
Political elite based on one ethnicity has been ruling the government without wide consensus from the other ethnic groups or minorities and its members occupy all essential administrative posts and institutions as well regulate the allocation of resources.	<i>NA</i>	<i>NA</i>	<i>Low</i>	<i>High</i>
Long-lasting insecurity caused by many factors such as civil wars, political trials, executions, and overall, human rights violations.	<i>Medium</i>	<i>Medium</i>	<i>Medium</i>	<i>High</i>
Pre-existing limitations on individualization based on the traditional culture, religion, tribe, extended family or other traditional entities that undermine any kind of racial or gender equality.	<i>NA</i>	<i>NA</i>	<i>High</i>	<i>High</i>
Pre-existence of strong relations between the Church and citizens, or the State and the Church	<i>Low</i>	<i>High</i>	<i>Low</i>	<i>Medium</i>
Long distance in time from the last democratic regime, or the existence of any democratic practices in the history of the country.	<i>Low</i>	<i>Low</i>	<i>High</i>	<i>High</i>
Underdevelopment of well-being and sense of social welfare security and the overall economic development of the country (infrastructure, health care, schools, labor and other indicators) left behind by the previous regime.	<i>NA</i>	<i>NA</i>	<i>High</i>	<i>High</i>
Corruption was a wide spread social or cultural phenomenon allowing individuals access to the state's resources.	<i>High</i>	<i>High</i>	<i>High</i>	<i>High</i>
Internal and external isolation of the country from activities of international institutions, NGOs and other entities that were not in favor of the former regime.	<i>Medium</i>	<i>Medium</i>	<i>Medium</i>	<i>High</i>
Regime persecuted or deported intelligentsia in order to silence the society.	<i>Medium</i>	<i>Medium</i>	<i>Low</i>	<i>High</i>
Highly centralized government redistribution and allocation of welfare, which did not leave any space for the local authorities to be involved in this process.	<i>Medium</i>	<i>Medium</i>	<i>High</i>	<i>High</i>

Remark: NA (Non-Applicable)

Table VII: Summary of Average Ratings of Obstacles

(High – negative 3 points, Medium - negative 2, Low – negative 1, NA – 0)

Obstacle/Country	Czech republic	Poland	Botswana	Kenya
Year	1989	1989	1966	1963
Average Summary	-1.2	-1.3	-2.3	-2.7

The average summary of obstacles indicates the situation in the countries before they decided to restore or build democracy. It is evident that the democratic transition in the Czech Republic and Poland could run more easily because these countries, despite having had Communist regimes, had fewer problems to start with transforming their societies. The country, which faces the greatest number of obstacles, is Kenya. These obstacles do not mean to show that the transformation is impossible there. Rather, they indicate that institutions helping to support democratic changes should consider pre-existing conditions during the democratic transformation. The average summary of obstacles also shows that despite the overall success of the democratic transformation in Botswana, any pushes for faster democratization have to be carefully considered, because we can see that there were many obstacles present before the democratization process and they cannot be overcome or diminished in a short amount of time.

IX. CONCLUSIONS

A comparison of the four countries, and their different methods for restoring or building democracy, reveal that there is a wide range of behaviors engaged in by many players internal to countries. Also, this thesis raises an important question regarding the obstacles that play an essential role in how democratic civil societies develop. In fact, obstacles described in Chapter VI have to be taken into account and evaluated in order to implement suitable strategies for supporting and implementing democratization efforts in different regions of the world. If these obstacles are not respected or are overlooked, new gaps and discrepancies are bound to be created mainly because responsibilities of the government, citizens, political parties, as well as the economic development integral to this process, are not mutually exclusive but closely affect one another. To ignore or downplay the importance of the roles of some players, might not only slow down or stop the transition process, but will also lead citizens into passivity and opposition against further democratic changes to society.

Another important issue that emerges from this research is that the role of the civil society in newly born democracies is generally overlooked. At the beginning, new, democratically elected political leaders, preoccupied with many important tasks, do not want, or are not able, to pay attention to the further development and empowerment of democratic civil society. Once new democratic politicians withdraw support from further democratic changes, they mistakenly distance themselves from the supporting idea of civil society as one of the important pillars of democracy. Without offering any reasonable explanations, politicians are sometimes hostile toward the further creation of a

space in which many people can openly associate in various clubs, organizations, and community activities.

Additionally, the obstacles described in Chapter VI are sometimes overlooked and underestimated at the beginning of a democratization process. Therefore, we face many challenges from various places around the World where people have decided to build or restore democracy. For example, how can we press some of the African countries for more decentralization if the young democratic government is preoccupied with creating a basic social welfare security net for its citizens? If such a government has to face ongoing pressure for more and more liberalization and privatization, in exchange for loans and support from international monetary organizations, the new and fragile democratic system can simply collapse and people then have little choice than to return to their traditional authorities to provide them with protection. Consequently, in this environment, people are easily manipulated by political elites into engaging in an internal ethnic conflict, or civil war.

We should avoid pushing for rapid democratization and should instead carefully evaluate these obstacles to better tailor our help to restore or build democracy. Especially in the military, our growing involvement in many peace-building operations calls for a better "cultural intelligence" that may not only shrink the number of armed factions, but such sensitivity is also needed when, for instance, officers are ordered to work as advisors, or members of the local administrative bodies, under the flags of international organizations.

The second aim of this research has been to assess and rank criteria necessary to undertake a transition and to be able to predict the success of democratization in post-

colonial or post-communist countries, with special essential attention paid to the development of democratic civil society. Ongoing evaluation of countries through the developed and ranked criteria in the four categories might help us to understand where some of the weaknesses or strengths of democratic transitions lie and areas that need to be more carefully cultivated and supported. Of course, these categories do not cover all essential areas that are necessary for further strengthening democracy, but they offer a preliminary scale whereby we can see the dynamics of democratic changes inside societies.

KEY CONCLUSIONS OF THE RESEARCH:

1. The development of democratic civil society in newly born democracies is generally overlooked.
2. Obstacles that I mentioned in Chapter VI are sometimes overlooked at the beginning of the democratic transformation process.
3. Pushes for rapid democratization changes can spill into an ethnic conflict, or civil war.

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